

House File 2700 - Enrolled

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1 1 HOUSE FILE 2700
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1 3 AN ACT
1 4 RELATING TO STATE AND LOCAL FINANCES BY PROVIDING FOR FUNDING
1 5 OF PROPERTY TAX CREDITS AND REIMBURSEMENTS, BY MAKING,
1 6 INCREASING AND REDUCING APPROPRIATIONS, PROVIDING FOR
1 7 SALARIES AND COMPENSATION OF STATE EMPLOYEES, PROVIDING
1 8 FOR MATTERS RELATING TO TAX CREDITS, PROVIDING FOR FEES
1 9 AND PENALTIES, AND PROVIDING FOR PROPERLY RELATED MATTERS,
1 10 AND INCLUDING EFFECTIVE AND RETROACTIVE APPLICABILITY DATE
1 11 PROVISIONS.
1 12
1 13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 15 DIVISION I
1 16 MH/MR/DD SERVICES ALLOWED
1 17 GROWTH FUNDING == FY 2009=2010
1 18 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
1 19 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION AND
1 20 ALLOCATIONS == FISCAL YEAR 2009=2010.
1 21 1. There is appropriated from the general fund of the
1 22 state to the department of human services for the fiscal year
1 23 beginning July 1, 2009, and ending June 30, 2010, the
1 24 following amount, or so much thereof as is necessary, to be
1 25 used for the purpose designated:
1 26 For distribution to counties of the county mental health,
1 27 mental retardation, and developmental disabilities allowed
1 28 growth factor adjustment for fiscal year 2009=2010:
1 29 \$ 69,949,069
1 30 2. The amount appropriated in this section shall be
1 31 allocated as provided in a later enactment of the general
1 32 assembly.
1 33 DIVISION II
1 34 STANDING APPROPRIATIONS
1 35 AND RELATED MATTERS
2 1 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2009=2010.
2 2 1. For the budget process applicable to the fiscal year
2 3 beginning July 1, 2009, on or before October 1, 2008, in lieu
2 4 of the information specified in section 8.23, subsection 1,
2 5 unnumbered paragraph 1, and paragraph "a", all departments and
2 6 establishments of the government shall transmit to the
2 7 director of the department of management, on blanks to be
2 8 furnished by the director, estimates of their expenditure
2 9 requirements, including every proposed expenditure, for the
2 10 ensuing fiscal year, together with supporting data and
2 11 explanations as called for by the director of the department
2 12 of management after consultation with the legislative services
2 13 agency.
2 14 2. The estimates of expenditure requirements shall be in a
2 15 form specified by the director of the department of
2 16 management, and the expenditure requirements shall include all
2 17 proposed expenditures and shall be prioritized by program or
2 18 the results to be achieved. The estimates shall be
2 19 accompanied by performance measures for evaluating the
2 20 effectiveness of the programs or results.
2 21 Sec. 3. GENERAL ASSEMBLY. The appropriations made
2 22 pursuant to section 2.12 for the expenses of the general
2 23 assembly and legislative agencies for the fiscal year
2 24 beginning July 1, 2008, and ending June 30, 2009, are reduced
2 25 by the following amount:
2 26 \$ 1,400,261
2 27 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.
2 28 Notwithstanding the standing appropriations in the following
2 29 designated sections for the fiscal year beginning July 1,
2 30 2008, and ending June 30, 2009, the amounts appropriated from
2 31 the general fund of the state pursuant to these sections for
2 32 the following designated purposes shall not exceed the
2 33 following amounts:
2 34 1. For instructional support state aid under section
2 35 257.20:
3 1 \$ 14,428,271
3 2 If the total amount of instructional support state aid
3 3 appropriated in accordance with this subsection is

3 4 insufficient to pay the amount of instructional support state
3 5 aid to a district as determined under section 257.20, the
3 6 department of education shall prorate the amount of the
3 7 instructional support state aid provided to each district.
3 8 2. For payment for nonpublic school transportation under
3 9 section 285.2:
3 10 \$ 8,604,714
3 11 If total approved claims for reimbursement for nonpublic
3 12 school pupil transportation exceed the amount appropriated in
3 13 accordance with this subsection, the department of education
3 14 shall prorate the amount of each approved claim.
3 15 3. For the educational excellence program under section
3 16 294A.25, subsection 1:
3 17 \$ 55,469,053
3 18 4. For the state's share of the cost of the peace
3 19 officers' retirement benefits under section 411.20:
3 20 \$ 2,745,784
3 21 Sec. 5. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF
3 22 GENERAL FUND REIMBURSEMENT.
3 23 1. a. Notwithstanding section 8.57, prior to the
3 24 appropriation and distribution to the senior living trust fund
3 25 and the cash reserve fund of the surplus existing in the
3 26 general fund of the state at the conclusion of the fiscal year
3 27 beginning July 1, 2007, and ending June 30, 2008, pursuant to
3 28 section 8.57, subsections 1 and 2, of that surplus,
3 29 \$99,849,544 is appropriated to the property tax credit fund
3 30 which shall be created in the office of the treasurer of state
3 31 to be used for the purposes of this section.
3 32 b. Notwithstanding any provision in section 8.57 to the
3 33 contrary in determining the amount of the appropriation to the
3 34 senior living trust fund pursuant to section 8.57, subsection
3 35 2, paragraph "a", the following shall apply:
4 1 (1) The surplus for the fiscal year beginning July 1,
4 2 2007, shall not include the amount appropriated to the
4 3 property tax credit fund pursuant to paragraph "a" of this
4 4 subsection.
4 5 (2) The remaining surplus after the operation of
4 6 subparagraph (1) shall be appropriated to the cash reserve
4 7 fund prior to any appropriation to the senior living trust
4 8 fund.
4 9 c. There is appropriated from the general fund of the
4 10 state to the property tax credit fund created in paragraph "a"
4 11 for the fiscal year beginning July 1, 2008, and ending June
4 12 30, 2009, the sum of \$44,400,000.
4 13 d. There is transferred from the surplus existing in the
4 14 salary adjustment fund at the conclusion of the fiscal year
4 15 beginning July 1, 2007, and ending June 30, 2008, to the
4 16 property tax credit fund created in paragraph "a", the sum of
4 17 \$13,937,263.
4 18 e. Notwithstanding section 8.33, the surplus existing in
4 19 the property tax credit fund created pursuant to 2007 Iowa
4 20 Acts, chapter 215, section 5, at the conclusion of the fiscal
4 21 year beginning July 1, 2007, and ending June 30, 2008, is
4 22 transferred to the property tax credit fund created in this
4 23 section.
4 24 2. Notwithstanding the amount of the standing
4 25 appropriation from the general fund of the state in the
4 26 following designated sections and notwithstanding any
4 27 conflicting provisions or voting requirements of section 8.56,
4 28 there is appropriated from the property tax credit fund in
4 29 lieu of the appropriations in the following designated
4 30 sections for the fiscal year beginning July 1, 2008, and
4 31 ending June 30, 2009, the following amounts for the following
4 32 designated purposes:
4 33 a. For reimbursement for the homestead property tax credit
4 34 under section 425.1:
4 35 \$ 99,254,781
5 1 b. For reimbursement for the agricultural land and family
5 2 farm tax credits under sections 425A.1 and 426.1:
5 3 \$ 34,610,183
5 4 c. For reimbursement for the military service tax credit
5 5 under section 426A.1A:
5 6 \$ 2,800,000
5 7 d. For implementing the elderly and disabled tax credit
5 8 and reimbursement pursuant to sections 425.16 through 425.40:
5 9 \$ 23,204,000
5 10 If the director of revenue determines that the amount of
5 11 claims for credit for property taxes due pursuant to
5 12 paragraphs "a", "b", "c", and "d" plus the amount of claims
5 13 for reimbursement for rent constituting property taxes paid
5 14 which are to be paid during the fiscal year may exceed the

5 15 total amount appropriated, the director shall estimate the
5 16 percentage of the credits and reimbursements which will be
5 17 funded by the appropriation. The county treasurer shall
5 18 notify the director of the amount of property tax credits
5 19 claimed by June 8, 2008. The director shall estimate the
5 20 percentage of the property tax credits and rent reimbursement
5 21 claims that will be funded by the appropriation and notify the
5 22 county treasurer of the percentage estimate by June 15, 2008.
5 23 The estimated percentage shall be used in computing for each
5 24 claim the amount of property tax credit and reimbursement for
5 25 rent constituting property taxes paid for that fiscal year.
5 26 If the director overestimates the percentage of funding,
5 27 claims for reimbursement for rent constituting property taxes
5 28 paid shall be paid until they can no longer be paid at the
5 29 estimated percentage of funding. Rent reimbursement claims
5 30 filed after that point in time shall receive priority and
5 31 shall be paid in the following fiscal year.

5 32 3. Notwithstanding any other provision, if the
5 33 Eighty-second General Assembly, 2008 Session, enacts
5 34 legislation that also provides for the appropriation of the
5 35 surplus or any part of the surplus existing in the general
6 1 fund of the state at the conclusion of the fiscal year
6 2 beginning July 1, 2007, and ending June 30, 2008, the moneys
6 3 appropriated from such surplus pursuant to subsection 1 shall
6 4 have priority over all other such appropriations.

6 5 4. Notwithstanding the amount of the standing
6 6 appropriations from the general fund of the state from the
6 7 designated sections listed in subsection 2, unless otherwise
6 8 provided by law, for the fiscal year beginning July 1, 2009,
6 9 and ending June 30, 2010, the amounts of such standing
6 10 appropriations shall be the same as provided in subsection 2.

6 11 Sec. 6. CASH RESERVE APPROPRIATION FOR FY 2008=2009. For
6 12 the fiscal year beginning July 1, 2008, and ending June 30,
6 13 2009, the appropriation to the cash reserve fund provided in
6 14 section 8.57, subsection 1, paragraph "a", shall not be made.

6 15 Sec. 7. APRIL 4, 2008, REVENUE ESTIMATE. For use by the
6 16 general assembly in the budget process and the governor's
6 17 approval or disapproval of the appropriations bills for the
6 18 fiscal year beginning July 1, 2008, and for purposes of
6 19 calculating the state general fund expenditure limitation
6 20 pursuant to section 8.54 for the fiscal year beginning July 1,
6 21 2008, the revenue estimate for the fiscal year beginning July
6 22 1, 2008, that shall be used in the budget process and such
6 23 calculation shall be the revenue estimate determined by the
6 24 revenue estimating conference on April 4, 2008,
6 25 notwithstanding the provision in section 8.22A, subsection 3,
6 26 that disallows the use of a revenue estimate agreed to at a
6 27 later meeting that projects a greater amount than the initial
6 28 estimated amount agreed to in December 2007. This section
6 29 also authorizes the use of the estimated revenue figures for
6 30 the purposes or sources designated in section 8.22A,
6 31 subsection 5.

6 32 Sec. 8. Section 257.35, Code Supplement 2007, is amended
6 33 by adding the following new subsection:
6 34 NEW SUBSECTION. 4A. Notwithstanding subsection 1, and in
6 35 addition to the reduction applicable pursuant to subsection 2,
7 1 the state aid for area education agencies and the portion of
7 2 the combined district cost calculated for these agencies for
7 3 the fiscal year beginning July 1, 2008, shall be reduced by
7 4 the department of management by two million five hundred
7 5 thousand dollars. The reduction for each area education
7 6 agency shall be prorated based on the reduction that the
7 7 agency received in the fiscal year beginning July 1, 2003.

7 8 Sec. 9. AREA EDUCATION AGENCY PAYMENTS. It is the intent
7 9 of the general assembly that for the fiscal year beginning
7 10 July 1, 2009, and subsequent fiscal years there shall be no
7 11 additional reduction in state aid to area education agencies
7 12 and the combined district cost calculated for those agencies
7 13 over the reduction applicable pursuant to section 257.35,
7 14 subsection 2.

7 15 Sec. 10. EFFECTIVE AND APPLICABILITY DATES.

7 16 1. The section of this division of this Act creating the
7 17 property tax credit fund, being deemed of immediate
7 18 importance, takes effect upon enactment.

7 19 2. The section of this division of this Act relating to
7 20 the use of the April 4, 2008, revenue estimate, being deemed
7 21 of immediate importance, takes effect upon enactment and
7 22 applies retroactively to January 14, 2008.

7 23 DIVISION III

7 24 SALARIES, COMPENSATION, AND RELATED MATTERS

7 25 Sec. 11. STATE COURT == JUSTICES, JUDGES, AND MAGISTRATES.

7 26 1. The salary rates specified in subsection 2 are for the
7 27 fiscal year beginning July 1, 2008, effective for the pay
7 28 period beginning June 27, 2008, and for subsequent fiscal
7 29 years until otherwise provided by the general assembly. The
7 30 salaries provided for in this section shall be paid from funds
7 31 allocated to the judicial branch from the salary adjustment
7 32 fund or if the allocation is not sufficient, from funds
7 33 appropriated to the judicial branch pursuant to any Act of the
7 34 general assembly.

7 35 2. The following annual salary rates shall be paid to the
8 1 persons holding the judicial positions indicated during the
8 2 fiscal year beginning July 1, 2008, effective with the pay
8 3 period beginning June 27, 2008, and for subsequent pay
8 4 periods.

8 5	a. Chief justice of the supreme court:	
8 6	.....	\$ 170,850
8 7	b. Each justice of the supreme court:	
8 8	.....	\$ 163,200
8 9	c. Chief judge of the court of appeals:	
8 10	.....	\$ 153,000
8 11	d. Each associate judge of the court of appeals:	
8 12	.....	\$ 147,900
8 13	e. Each chief judge of a judicial district:	
8 14	.....	\$ 142,800
8 15	f. Each district judge except the chief judge of a	
8 16	judicial district:	
8 17	.....	\$ 137,700
8 18	g. Each district associate judge:	
8 19	.....	\$ 122,400
8 20	h. Each associate juvenile judge:	
8 21	.....	\$ 122,400
8 22	i. Each associate probate judge:	
8 23	.....	\$ 122,400
8 24	j. Each judicial magistrate:	
8 25	.....	\$ 37,740
8 26	k. Each senior judge:	
8 27	.....	\$ 8,160

8 28 3. Persons receiving the salary rates established under
8 29 this section shall not receive any additional salary
8 30 adjustments provided by this division of this Act.

8 31 Sec. 12. ELECTIVE EXECUTIVE OFFICIALS.

8 32 1. The annual salary rates specified in this section are
8 33 effective for the fiscal year beginning July 1, 2008, with the
8 34 pay period beginning June 27, 2008, and for subsequent fiscal
8 35 years until otherwise provided by the general assembly.

9 1 The salaries provided for in this section shall be paid
9 2 from funds allocated to the office, department, or agency of
9 3 the elected official specified in subsections 2, 3, and 4 from
9 4 the salary adjustment fund, if the allocation is not
9 5 sufficient, from funds appropriated to the office, department,
9 6 or agency.

9 7 2. The annual salary rates paid to the person holding the
9 8 following elected offices shall be equal to 82.65 percent of
9 9 the maximum of range 7 of the salary ranges specified in this
9 10 division of this Act for appointed state officers, rounded to
9 11 the nearest \$10: secretary of agriculture, auditor of state,
9 12 secretary of state, treasurer of state, and lieutenant
9 13 governor.

9 14 3. The annual salary rate paid to the attorney general
9 15 shall be equal to 89 percent of the maximum of range 7 of the
9 16 salary ranges specified in this division of this Act for
9 17 appointed state officers, rounded to the nearest \$10.

9 18 4. The annual salary rate paid to the governor shall be
9 19 equal to 92.4 percent of the maximum of range 7 of the salary
9 20 ranges specified in this division of this Act for appointed
9 21 state officers, rounded to the nearest \$10.

9 22 Sec. 13. APPOINTED STATE OFFICERS. The governor shall
9 23 establish a salary for appointed nonelected persons in the
9 24 executive branch of state government holding a position
9 25 enumerated in the section of this division of this Act that
9 26 addresses the salary ranges of state officers within the range
9 27 provided, by considering, among other items, the experience of
9 28 the individual in the position, changes in the duties of the
9 29 position, the incumbent's performance of assigned duties, and
9 30 subordinates' salaries. However, the attorney general shall
9 31 establish the salary for the consumer advocate, the chief
9 32 justice of the supreme court shall establish the salary for
9 33 the state court administrator, the ethics and campaign
9 34 disclosure board shall establish the salary of the executive
9 35 director, and the Iowa public broadcasting board shall
10 1 establish the salary of the administrator of the public

10 2 broadcasting division of the department of education, each
10 3 within the salary range provided in the section of this
10 4 division of this Act that addresses the salary ranges of state
10 5 officers.

10 6 The governor, in establishing salaries as provided in the
10 7 section of this division of this Act that addresses the salary
10 8 ranges of state officers, shall take into consideration other
10 9 employee benefits which may be provided for an individual
10 10 including but not limited to housing.

10 11 A person whose salary is established pursuant to the
10 12 section of this division of this Act that addresses the salary
10 13 ranges of state officers and who is a full-time, year-round
10 14 employee of the state shall not receive any other remuneration
10 15 from the state or from any other source for the performance of
10 16 that person's duties unless the additional remuneration is
10 17 first approved by the governor or authorized by law. However,
10 18 this provision does not exclude the reimbursement for
10 19 necessary travel and expenses incurred in the performance of
10 20 duties or fringe benefits normally provided to employees of
10 21 the state.

10 22 Sec. 14. STATE OFFICERS == SALARY RANGE. The following
10 23 annual salary ranges are effective for the positions specified
10 24 in this section for the fiscal year beginning July 1, 2008,
10 25 and for subsequent fiscal years until otherwise provided by
10 26 the general assembly. The governor or other person designated
10 27 in the section of this division of this Act relating to
10 28 appointed state officers shall determine the salary to be paid
10 29 to the person indicated at a rate within this salary range
10 30 from funds appropriated by the general assembly for that
10 31 purpose.

10 32 1. The following are salary ranges for appointed state
10 33 officers for the fiscal year beginning July 1, 2008, effective
10 34 with the pay period beginning June 27, 2008:

SALARY RANGE		Minimum	Maximum
11 1	a. Range 2	\$ 48,160	\$ 73,700
11 2	b. Range 3	\$ 55,380	\$ 84,750
11 3	c. Range 4	\$ 63,690	\$ 97,460
11 4	d. Range 5	\$ 73,250	\$112,070
11 5	e. Range 6	\$ 84,240	\$128,890
11 6	f. Range 7	\$100,840	\$154,300

11 7 2. The following are range 2 positions: administrator of
11 8 the arts division of the department of cultural affairs,
11 9 administrators of the division of persons with disabilities,
11 10 the division on the status of women, the division on the
11 11 status of Iowans of Asian and Pacific Islander heritage, the
11 12 division on the status of African-Americans, the division of
11 13 deaf services, and the division of Latino affairs of the
11 14 department of human rights.

11 15 3. The following are range 3 positions: administrator of
11 16 the division of criminal and juvenile justice planning of the
11 17 department of human rights, administrator of the division of
11 18 community action agencies of the department of human rights,
11 19 executive director of the department of veterans affairs, and
11 20 chairperson and members of the employment appeal board of the
11 21 department of inspections and appeals.

11 22 4. The following are range 4 positions: director of the
11 23 department of human rights, director of the Iowa state civil
11 24 rights commission, executive director of the college student
11 25 aid commission, director of the department for the blind,
11 26 executive director of the ethics and campaign disclosure
11 27 board, members of the public employment relations board, and
11 28 chairperson, vice chairperson, and members of the board of
11 29 parole.

11 30 5. The following are range 5 positions: administrator of
11 31 the division of homeland security and emergency management of
11 32 the department of public defense, state public defender, drug
11 33 policy coordinator, labor commissioner, workers' compensation
11 34 commissioner, director of the department of cultural affairs,
11 35 director of the department of elder affairs, director of the
12 1 law enforcement academy, and administrator of the historical
12 2 division of the department of cultural affairs.

12 3 6. The following are range 6 positions: director of the
12 4 office of energy independence, superintendent of banking,
12 5 superintendent of credit unions, administrator of the
12 6 alcoholic beverages division of the department of commerce,
12 7 director of the department of inspections and appeals,
12 8 commandant of the Iowa veterans home, commissioner of public
12 9 safety, commissioner of insurance, executive director of the
12 10 Iowa finance authority, director of the department of natural
12 11 resources, consumer advocate, and chairperson of the utilities
12 12 board. The other members of the utilities board shall receive

12 13 an annual salary within a range of not less than 90 percent
12 14 but not more than 95 percent of the annual salary of the
12 15 chairperson of the utilities board.
12 16 7. The following are range 7 positions: administrator of
12 17 the public broadcasting division of the department of
12 18 education, director of the department of corrections, director
12 19 of the department of education, director of human services,
12 20 director of the department of economic development, executive
12 21 director of the Iowa telecommunications and technology
12 22 commission, executive director of the state board of regents,
12 23 director of transportation, director of the department of
12 24 workforce development, director of revenue, director of public
12 25 health, state court administrator, director of the department
12 26 of management, and director of the department of
12 27 administrative services.

12 28 Sec. 15. COLLECTIVE BARGAINING AGREEMENTS FUNDED ==
12 29 GENERAL FUND. There is appropriated from the general fund of
12 30 the state to the salary adjustment fund for distribution by
12 31 the department of management to the various state departments,
12 32 boards, commissions, councils, and agencies, including the
12 33 state board of regents and the judicial branch, for the fiscal
12 34 year beginning July 1, 2008, and ending June 30, 2009, the
12 35 amount of \$88,100,000, or so much thereof as may be necessary,
13 1 to fully fund annual pay adjustments, expense reimbursements,
13 2 and related benefits implemented pursuant to the following:

13 3 1. The collective bargaining agreement negotiated pursuant
13 4 to chapter 20 for employees in the blue collar bargaining
13 5 unit.

13 6 2. The collective bargaining agreement negotiated pursuant
13 7 to chapter 20 for employees in the public safety bargaining
13 8 unit.

13 9 3. The collective bargaining agreement negotiated pursuant
13 10 to chapter 20 for employees in the security bargaining unit.

13 11 4. The collective bargaining agreement negotiated pursuant
13 12 to chapter 20 for employees in the technical bargaining unit.

13 13 5. The collective bargaining agreement negotiated pursuant
13 14 to chapter 20 for employees in the professional fiscal and
13 15 staff bargaining unit.

13 16 6. The collective bargaining agreement negotiated pursuant
13 17 to chapter 20 for employees in the clerical bargaining unit.

13 18 7. The collective bargaining agreement negotiated pursuant
13 19 to chapter 20 for employees in the professional social
13 20 services bargaining unit.

13 21 8. The collective bargaining agreement negotiated pursuant
13 22 to chapter 20 for employees in the community-based corrections
13 23 bargaining unit.

13 24 9. The collective bargaining agreements negotiated
13 25 pursuant to chapter 20 for employees in the judicial branch of
13 26 government bargaining units.

13 27 10. The collective bargaining agreement negotiated
13 28 pursuant to chapter 20 for employees in the patient care
13 29 bargaining unit.

13 30 11. The collective bargaining agreement negotiated
13 31 pursuant to chapter 20 for employees in the science bargaining
13 32 unit.

13 33 12. The collective bargaining agreement negotiated
13 34 pursuant to chapter 20 for employees in the university of
13 35 northern Iowa faculty bargaining unit.

14 1 13. The collective bargaining agreement negotiated
14 2 pursuant to chapter 20 for employees in the state university
14 3 of Iowa graduate student bargaining unit.

14 4 14. The collective bargaining agreement negotiated
14 5 pursuant to chapter 20 for employees in the state university
14 6 of Iowa hospital and clinics tertiary health care bargaining
14 7 unit.

14 8 15. The annual pay adjustments, related benefits, and
14 9 expense reimbursements referred to in the sections of this
14 10 division of this Act addressing noncontract state and board of
14 11 regents employees who are not covered by a collective
14 12 bargaining agreement.

14 13 Of the amount appropriated in this section, \$7,647,352
14 14 shall be allocated to the judicial branch for the purposes of
14 15 funding annual pay adjustments, expense reimbursements, and
14 16 related benefits implemented for judicial branch employees.

14 17 Sec. 16. NONCONTRACT STATE EMPLOYEES == GENERAL.

14 18 1. a. For the fiscal year beginning July 1, 2008, the
14 19 maximum and minimum salary levels of all pay plans provided
14 20 for in section 8A.413, subsection 2, as they exist for the
14 21 fiscal year ending June 30, 2008, shall be increased by 3
14 22 percent for the pay period beginning June 27, 2008, and any
14 23 additional changes in the pay plans shall be approved by the

14 24 governor.

14 25 b. For the fiscal year beginning July 1, 2008, employees
14 26 may receive a step increase or the equivalent of a step
14 27 increase.

14 28 c. Notwithstanding the increase in paragraph "a",
14 29 noncontract judicial branch employees shall receive increases
14 30 similar to those employees covered by collective bargaining
14 31 agreements negotiated by the judicial branch.

14 32 2. The pay plans for state employees who are exempt from
14 33 chapter 8A, subchapter IV, and who are included in the
14 34 department of administrative services' centralized payroll
14 35 system shall be increased in the same manner as provided in
15 1 subsection 1, and any additional changes in any executive
15 2 branch pay plans shall be approved by the governor.

15 3 3. This section does not apply to members of the general
15 4 assembly, board members, commission members, salaries of
15 5 persons set by the general assembly pursuant to this division
15 6 of this Act or set by the governor, or other persons
15 7 designated in the section of this division of this Act
15 8 addressing appointed state officers, employees designated
15 9 under section 8A.412, subsection 5, and employees covered by
15 10 11 IAC 53.6(3).

15 11 4. The pay plans for the bargaining eligible employees of
15 12 the state shall be increased in the same manner as provided in
15 13 subsection 1, and any additional changes in such executive
15 14 branch pay plans shall be approved by the governor. As used
15 15 in this section, "bargaining eligible employee" means an
15 16 employee who is eligible to organize under chapter 20, but has
15 17 not done so.

15 18 5. The policies for implementation of this section shall
15 19 be approved by the governor.

15 20 Sec. 17. STATE EMPLOYEES == STATE BOARD OF REGENTS. Funds
15 21 from the appropriation made from the general fund of the state
15 22 in the section of this division of this Act providing for
15 23 funding of collective bargaining agreements shall be allocated
15 24 to the state board of regents for the purposes of providing
15 25 increases for state board of regents employees covered by such
15 26 section of this division of this Act and for state board of
15 27 regents employees not covered by a collective bargaining
15 28 agreement as follows:

15 29 1. For regents merit system employees and merit
15 30 supervisory employees to fund for the fiscal year increases
15 31 comparable to those provided for similar contract=covered
15 32 employees in this division of this Act.

15 33 2. For faculty members and professional and scientific
15 34 employees to fund for the fiscal year percentage increases
15 35 comparable to those provided for contract=covered employees in
16 1 the university of northern Iowa faculty bargaining unit.

16 2 Sec. 18. APPROPRIATIONS FROM ROAD FUNDS.

16 3 1. There is appropriated from the road use tax fund to the
16 4 salary adjustment fund for the fiscal year beginning July 1,
16 5 2008, and ending June 30, 2009, the following amount, or so
16 6 much thereof as may be necessary, to be used for the purpose
16 7 designated:

16 8 To supplement other funds appropriated by the general
16 9 assembly:

16 10 \$ 1,485,911

16 11 2. There is appropriated from the primary road fund to the
16 12 salary adjustment fund, for the fiscal year beginning July 1,
16 13 2008, and ending June 30, 2009, the following amount, or so
16 14 much thereof as may be necessary, to be used for the purpose
16 15 designated:

16 16 To supplement other funds appropriated by the general
16 17 assembly:

16 18 \$ 8,335,688

16 19 3. Except as otherwise provided in this division of this
16 20 Act, the amounts appropriated in subsections 1 and 2 shall be
16 21 used to fund the annual pay adjustments, expense
16 22 reimbursements, and related benefits for public employees as
16 23 provided in this division of this Act.

16 24 Sec. 19. SPECIAL FUNDS == AUTHORIZATION. To departmental
16 25 revolving, trust, or special funds, except for the primary
16 26 road fund or the road use tax fund, for which the general
16 27 assembly has established an operating budget, a supplemental
16 28 expenditure authorization is provided, unless otherwise
16 29 provided, in an amount necessary to fund salary adjustments as
16 30 otherwise provided in this division of this Act.

16 31 Sec. 20. GENERAL FUND SALARY MONEYS. Funds appropriated
16 32 from the general fund of the state for distribution from the
16 33 salary adjustment fund in the section of this division of this
16 34 Act providing for funding of collective bargaining agreements

16 35 relate only to salaries supported from general fund
17 1 appropriations of the state. Funds appropriated from the
17 2 general fund of the state for employees of the state board of
17 3 regents relate only to salaries supported by tuition or from
17 4 general fund appropriations of the state and shall exclude
17 5 general university indirect costs and general university
17 6 federal funds.

17 7 Sec. 21. FEDERAL FUNDS APPROPRIATED. All federal grants
17 8 to and the federal receipts of the agencies affected by this
17 9 division of Act which are received and may be expended for
17 10 purposes of this division of this Act are appropriated for
17 11 those purposes and as set forth in the federal grants or
17 12 receipts.

17 13 Sec. 22. STATE TROOPER MEAL ALLOWANCE. The sworn peace
17 14 officers in the department of public safety who are not
17 15 covered by a collective bargaining agreement negotiated
17 16 pursuant to chapter 20 shall receive the same per diem meal
17 17 allowance as the sworn peace officers in the department of
17 18 public safety who are covered by a collective bargaining
17 19 agreement negotiated pursuant to chapter 20.

17 20 Sec. 23. SALARY MODEL ADMINISTRATOR. The salary model
17 21 administrator shall work in conjunction with the legislative
17 22 services agency to maintain the state's salary model used for
17 23 analyzing, comparing, and projecting state employee salary and
17 24 benefit information, including information relating to
17 25 employees of the state board of regents. The department of
17 26 revenue, the department of administrative services, the five
17 27 institutions under the jurisdiction of the state board of
17 28 regents, the judicial district departments of correctional
17 29 services, and the state department of transportation shall
17 30 provide salary data to the department of management and the
17 31 legislative services agency to operate the state's salary
17 32 model. The format and frequency of provision of the salary
17 33 data shall be determined by the department of management and
17 34 the legislative services agency. The information shall be
17 35 used in collective bargaining processes under chapter 20 and
18 1 in calculating the funding needs contained within the annual
18 2 salary adjustment legislation. A state employee organization
18 3 as defined in section 20.3, subsection 4, may request
18 4 information produced by the model, but the information
18 5 provided shall not contain information attributable to
18 6 individual employees.

18 7 Sec. 24. Section 173.10, Code 2007, is amended to read as
18 8 follows:

18 9 173.10 SALARY OF SECRETARY.

18 10 ~~The secretary shall receive the salary fixed by the board.~~
18 11 ~~The compensation and employment terms of the secretary shall~~
18 12 ~~be set by the Iowa state fair board with the approval of the~~
18 13 ~~governor, taking into consideration the level of knowledge and~~
18 14 ~~experience of the secretary.~~

18 15 DIVISION IV

18 16 MISCELLANEOUS STATUTORY CHANGES == APPROPRIATIONS

18 17 Sec. 25. Section 8.7, Code 2007, is amended to read as
18 18 follows:

18 19 8.7 REPORTING OF GIFTS AND BEQUESTS RECEIVED.

18 20 All gifts, ~~and bequests, and grants~~ received by a
18 21 department or accepted by the governor on behalf of the state
18 22 shall be reported to the Iowa ethics and campaign disclosure
18 23 board and the government oversight committees. The ethics and
18 24 campaign disclosure board shall, by January 31 of each year,
18 25 submit to the fiscal services division of the legislative
18 26 services agency a written report listing all gifts, ~~and~~
18 27 ~~bequests, and grants~~ received during the previous calendar
18 28 year with a value over one thousand dollars and the purpose
18 29 for each such gift, ~~or bequest, or grant~~. The submission
18 30 shall also include a listing of all gifts, ~~and bequests, and~~
18 31 ~~grants~~ received by a department from a person if the
18 32 cumulative value of all gifts, ~~and bequests, and grants~~
18 33 received by the department from the person during the previous
18 34 calendar year exceeds one thousand dollars, and the ethics and
18 35 campaign disclosure board shall include, if available, the
19 1 purpose for each such gift, ~~or bequest, or grant~~. However,
19 2 ~~the reports on gifts, grants, or bequests~~ filed by the state
19 3 board of regents pursuant to section 8.44 shall be deemed
19 4 sufficient to comply with the requirements of this section.

19 5 Sec. 26. Section 8.9, Code 2007, is amended to read as
19 6 follows:

19 7 8.9 GRANTS ENTERPRISE MANAGEMENT OFFICE.

19 8 1. The office of grants enterprise management is
19 9 established in the department of management. The function of
19 10 the office is to develop and administer a system to track,

19 11 identify, advocate for, and coordinate nonstate grants as
19 12 defined in section 8.2, subsections 1 and 3. Staffing for the
19 13 office of grants enterprise management shall be provided by a
19 14 facilitator appointed by the director of the department of
19 15 management. Additional staff may be hired, subject to the
19 16 availability of funding. Funding for the office is from the
19 17 appropriation to the department pursuant to section 8A.505,
19 18 subsection 2.

19 19 2. a. All grant applications submitted and grant moneys
19 20 received by a department on behalf of the state shall be
19 21 reported to the office of grants enterprise management. The
19 22 office shall by January 31 of each year submit to the fiscal
19 23 services division of the legislative services agency a written
19 24 report listing all grants received during the previous
19 25 calendar year with a value over one thousand dollars and the
19 26 funding entity and purpose for each grant. However, the
19 27 reports on grants filed by the state board of regents pursuant
19 28 to section 8.44 shall be deemed sufficient to comply with the
19 29 requirements of this subsection.

19 30 b. The office of grants enterprise management shall submit
19 31 by July 1 and January 1 of each year to the government
19 32 oversight committees a written report summarizing departmental
19 33 compliance with the requirements of this subsection.

19 34 Sec. 27. Section 12C.16, subsection 1, paragraph b,
19 35 subparagraph (4), Code Supplement 2007, is amended to read as
20 1 follows:

20 2 (4) To the extent of the guarantee, loans, obligations, or
20 3 nontransferable letters of credit upon which the payment of
20 4 principal and interest is fully secured or guaranteed by the
20 5 United States of America or an agency or instrumentality of
20 6 the United States of America or the United States central
20 7 credit union, a corporate central credit union organized under
20 8 section 533.213, or a corporate credit union ~~organized under~~
20 9 ~~12 C.F.R. } 704 whose activities are subject to regulation by~~
20 10 ~~the national credit union administration~~, and the rating of
20 11 any one of such credit unions remains within the two highest
20 12 classifications of prime established by at least one of the
20 13 standard rating services approved by the superintendent of
20 14 banking by rule pursuant to chapter 17A. The treasurer of
20 15 state shall adopt rules pursuant to chapter 17A to implement
20 16 this section.

20 17 Sec. 28. Section 12C.17, subsection 1, paragraph c, Code
20 18 Supplement 2007, is amended to read as follows:

20 19 c. The securities shall be deposited with the federal
20 20 reserve bank, the federal home loan bank of Des Moines, Iowa,
20 21 or the United States central credit union, a corporate central
20 22 credit union organized under section 533.213, or a corporate
20 23 credit union ~~organized under 12 C.F.R. } 704 whose activities~~
20 24 ~~are subject to regulation by the national credit union~~
20 25 ~~administration~~ pursuant to a bailment agreement or a pledge
20 26 custody agreement.

20 27 Sec. 29. Section 12C.17, subsection 4, Code Supplement
20 28 2007, is amended to read as follows:

20 29 4. Upon written request from the appropriate public
20 30 officer but not less than monthly, the federal reserve bank,
20 31 the federal home loan bank of Des Moines, Iowa, the United
20 32 States central credit union, a corporate central credit union
20 33 organized under section 533.213, or a corporate credit union
20 34 ~~organized under 12 C.F.R. } 704 whose activities are subject~~
20 35 ~~to regulation by the national credit union administration~~

21 1 shall report a description, the par value, and the market
21 2 value of any pledged collateral by a credit union.

21 3 Sec. 30. NEW SECTION. 15.368 WORLD FOOD PRIZE AWARD AND
21 4 SUPPORT.

21 5 1. Commencing with the fiscal year beginning July 1, 2009,
21 6 there is annually appropriated from the general fund of the
21 7 state to the department one million dollars for the support of
21 8 the world food prize award.

21 9 2. The Iowa state capitol is designated as the primary
21 10 location for the annual ceremony to award the world food
21 11 prize.

21 12 Sec. 31. Section 15F.204, subsection 5, unnumbered
21 13 paragraph 1, Code 2007, is amended to read as follows:

21 14 At the beginning of each fiscal year, the board shall
21 15 allocate one hundred thousand dollars for purposes of
21 16 marketing those projects that are receiving moneys from the
21 17 fund. After the marketing allocation, the board shall
21 18 allocate all remaining moneys in the fund in the following
21 19 manner:

21 20 Sec. 32. Section 16.92, subsection 5, paragraph c, Code
21 21 Supplement 2007, is amended to read as follows:

21 22 c. In addition to any other remedy provided by law, if the
21 23 division through an act of negligence wrongfully or
21 24 erroneously records a certificate of release under this
21 25 section, the division is liable to the mortgagee and mortgage
21 26 servicer for actual damages sustained due to the recording of
21 27 the certificate of release.

21 28 Sec. 33. Section 21.5, subsection 1, Code Supplement 2007,
21 29 is amended by adding the following new paragraph:

21 30 NEW PARAGRAPH. 1. To discuss patient care quality and
21 31 process improvement initiatives in a meeting of a public
21 32 hospital or to discuss marketing and pricing strategies or
21 33 similar proprietary information in a meeting of a public
21 34 hospital, where public disclosure of such information would
21 35 harm such a hospital's competitive position when no public
22 1 purpose would be served by public disclosure. The minutes and
22 2 the audio recording of a closed session under this paragraph
22 3 shall be available for public inspection when the public
22 4 disclosure would no longer harm the hospital's competitive
22 5 position. For purposes of this paragraph, "public hospital"
22 6 means the same as defined in section 249J.3. This paragraph
22 7 does not apply to the information required to be disclosed
22 8 pursuant to section 347.13, subsection 14, or to any
22 9 discussions relating to terms or conditions of employment,
22 10 including but not limited to compensation of an officer or
22 11 employee or group of officers or employees.

22 12 Sec. 34. Section 22.7, Code Supplement 2007, is amended by
22 13 adding the following new subsection:

22 14 NEW SUBSECTION. 60. CLOSED SESSION RECORDS. Information
22 15 in a record that would permit a governmental body subject to
22 16 chapter 21 to hold a closed session pursuant to section 21.5
22 17 in order to avoid public disclosure of that information, until
22 18 such time as final action is taken on the subject matter of
22 19 that information. Any portion of such a record not subject to
22 20 this subsection, or not otherwise confidential, shall be made
22 21 available to the public. After the governmental body has
22 22 taken final action on the subject matter pertaining to the
22 23 information in that record, this subsection shall no longer
22 24 apply. This subsection shall not apply more than ninety days
22 25 after a record is known to exist by the governmental body,
22 26 unless it is not possible for the governmental body to take
22 27 final action within ninety days. The burden shall be on the
22 28 governmental body to prove that final action was not possible
22 29 within the ninety-day period.

22 30 Sec. 35. Section 35A.8, subsection 5, paragraph a, Code
22 31 Supplement 2007, is amended to read as follows:

22 32 a. The executive director shall provide for the
22 33 administration of the bonus authorized in this subsection.
22 34 The ~~commission~~ department shall adopt rules, pursuant to
22 35 chapter 17A, as necessary to administer this subsection
23 1 including but not limited to application procedures,
23 2 investigation, approval or disapproval, and payment of claims.

23 3 Sec. 36. Section 35A.8, subsection 5, paragraph b,
23 4 subparagraph (1), Code Supplement 2007, is amended to read as
23 5 follows:

23 6 (1) A person who served on active duty for not less than
23 7 one hundred twenty days in the armed forces of the United
23 8 States, and who served on active duty at any time between July
23 9 1, 1973, and May 31, 1975, both dates inclusive, and who at
23 10 the time of entering into active duty service was a legal
23 11 resident of the state of Iowa, and who had maintained the
23 12 person's residence in this state for a period of at least six
23 13 months immediately before entering into active duty service,
23 14 and was honorably discharged or separated from active duty
23 15 service, or is still in active service in an honorable status,
23 16 or has been retired, or has been furloughed to a reserve, or
23 17 has been placed on inactive status is entitled to receive from
23 18 moneys appropriated for that purpose the sum of seventeen
23 19 dollars and fifty cents for each month that the person was on
23 20 active duty service in the Vietnam service area, within the
23 21 dates specified in this subparagraph, if the veteran earned
23 22 either a Vietnam service medal or an armed forces
23 23 expeditionary medal-Vietnam or can otherwise establish service
23 24 in the Vietnam service area during that period. Compensation
23 25 under this subparagraph shall not exceed a total sum of five
23 26 hundred dollars. Compensation for a fraction of a month shall
23 27 not be considered unless the fraction is sixteen days or more,
23 28 in which case the fraction shall be computed as a full month.

23 29 Sec. 37. NEW SECTION. 68A.401A REPORTING OF
23 30 CONTRIBUTIONS AND EXPENDITURES RELATING TO ISSUE ADVOCACY.

23 31 1. A political organization that is required to file
23 32 reports with the internal revenue service, pursuant to 26

23 33 U.S.C. } 527, shall file a report with the board if that
23 34 organization does both of the following:
23 35 a. Creates or disseminates a communication of issue
24 1 advocacy in this state.
24 2 b. Receives or expects to receive twenty-five thousand
24 3 dollars or more in gross receipts in any taxable year.
24 4 2. A report required under this section shall contain the
24 5 following information:
24 6 a. The amount, date, and purpose of each expenditure made
24 7 to a person if the aggregate amount of expenditures to such
24 8 person during the calendar year equals or exceeds five hundred
24 9 dollars and the name and address of the person, and, in the
24 10 case of an individual, the occupation and name of employer of
24 11 the individual.
24 12 b. The name and address, and, in the case of an
24 13 individual, the occupation and name of employer of such
24 14 individual, of all contributors which contributed an aggregate
24 15 amount of two hundred dollars or more to the organization
24 16 during the calendar year and the amount and date of the
24 17 contribution.
24 18 3. The board shall by rule establish a procedure for the
24 19 filing of reports required by this section. To the extent
24 20 practicable the reporting periods and filing due dates shall
24 21 be the same as set out in 26 U.S.C. } 527(j)(2).
24 22 4. The term "issue advocacy" means any print, radio,
24 23 televised, telephonic, or electronic communication in any form
24 24 or content, which is disseminated to the general public or a
24 25 segment of the general public, that refers to a clearly
24 26 identified candidate for the general assembly or statewide
24 27 office.
24 28 5. The penalty set out in section 68A.701 does not apply
24 29 to a violation of this section. The penalties for a violation
24 30 of this section are as set out in section 68B.32D.
24 31 Sec. 38. Section 68B.2A, Code 2007, is amended by adding
24 32 the following new subsection:
24 33 NEW SUBSECTION. 4. The board shall adopt rules pursuant
24 34 to chapter 17A further delineating particular situations where
24 35 outside employment or activity of officials and state
25 1 employees of the executive branch will be deemed to create an
25 2 unacceptable conflict of interest.
25 3 Sec. 39. Section 68B.5A, subsections 2 and 5, Code 2007,
25 4 are amended to read as follows:
25 5 2. The head of a major subunit of a department or
25 6 independent state agency whose position involves substantial
25 7 exercise of administrative discretion or the expenditure of
25 8 public funds, a full-time employee of an office of a statewide
25 9 elected official whose position involves substantial exercise
25 10 of administrative discretion or the expenditure of public
25 11 funds, or a legislative employee whose position involves a
25 12 substantial exercise of administrative discretion or the
25 13 expenditure of public funds, shall not, during the time in
25 14 which the person serves or is employed by the state, act as a
25 15 lobbyist before the agency in which the person is employed or
25 16 before state agencies, officials, or employees with whom the
25 17 person has substantial or regular contact as part of the
25 18 person's duties, unless the person is designated, by the
25 19 agency in which the person serves or is employed, to represent
25 20 the official position of the agency.
25 21 5. The head of a major subunit of a department or
25 22 independent state agency whose position involves substantial
25 23 exercise of administrative discretion or the expenditure of
25 24 public funds, a full-time employee of an office of a statewide
25 25 elected official whose position involves substantial exercise
25 26 of administrative discretion or the expenditure of public
25 27 funds, or a legislative employee whose position involves a
25 28 substantial exercise of administrative discretion or the
25 29 expenditure of public funds, shall not, within two years after
25 30 termination of employment, become a lobbyist before the agency
25 31 in which the person was employed or before state agencies or
25 32 officials or employees with whom the person had substantial
25 33 and regular contact as part of the person's former duties.
25 34 Sec. 40. Section 68B.22, subsection 4, Code Supplement
25 35 2007, is amended by adding the following new paragraph:
26 1 NEW PARAGRAPH. hh. Food and beverages provided at a meal
26 2 that is part of a bona fide event or program at which the
26 3 recipient is being honored for public service.
26 4 Sec. 41. Section 68B.32, subsection 1, Code 2007, is
26 5 amended to read as follows:
26 6 1. An Iowa ethics and campaign disclosure board is
26 7 established as an independent agency. The board shall
26 8 administer this chapter and set standards for, investigate

26 9 complaints relating to, and monitor the ethics of officials,
26 10 employees, lobbyists, and candidates for office in the
26 11 executive branch of state government. The board shall
26 12 administer and set standards for, investigate complaints
26 13 relating to, and monitor the campaign finance practices of
26 14 candidates for public office. The board shall administer and
26 15 establish standards for, investigate complaints relating to,
26 16 and monitor the reporting of gifts, ~~and bequests, and grants~~
26 17 under section 8.7. The board shall consist of six members and
26 18 shall be balanced as to political affiliation as provided in
26 19 section 69.16. The members shall be appointed by the
26 20 governor, subject to confirmation by the senate.

26 21 Sec. 42. Section 68B.32A, subsection 4, Code Supplement
26 22 2007, is amended to read as follows:

26 23 4. Receive and file registration and reports from
26 24 lobbyists of the executive branch of state government, client
26 25 disclosure from clients of lobbyists of the executive branch
26 26 of state government, personal financial disclosure information
26 27 from officials and employees in the executive branch of state
26 28 government who are required to file personal financial
26 29 disclosure information under this chapter, and gift, ~~and~~
26 30 bequest, ~~and grant~~ disclosure information pursuant to section
26 31 8.7. The board, upon its own motion, may initiate action and
26 32 conduct a hearing relating to reporting requirements under
26 33 this chapter or section 8.7.

26 34 Sec. 43. Section 84A.5, subsection 1, paragraph a, Code
26 35 Supplement 2007, is amended to read as follows:

27 1 a. The workforce development system shall strive to
27 2 provide high quality services to its customers including
27 3 workers, families, and businesses. The department of
27 4 workforce development shall maintain a common intake,
27 5 assessment, and customer tracking system and to the extent
27 6 practical provide one-stop services to customers at workforce
27 7 development centers and other service access points. The
27 8 department of workforce development shall administer a
27 9 statewide standard skills assessment to assess the
27 10 employability skills of adult workers statewide and shall
27 11 instruct appropriate department staff in the administration of
27 12 the assessment. The assessment shall be included in the
27 13 one-stop services provided to customers at workforce
27 14 development centers and other service access points throughout
27 15 the state.

27 16 Sec. 44. Section 97A.10, Code 2007, is amended to read as
27 17 follows:

27 18 97A.10 PURCHASE OF ELIGIBLE SERVICE CREDIT.

27 19 1. For purposes of this section:

27 20 a. "Eligible qualified service" means ~~as follows:~~

27 21 ~~(1) Service with the department prior to July 1, 1994, in~~
27 22 ~~a position as a gaming enforcement officer, fire prevention~~
27 23 ~~inspector peace officer, or as an employee of the division of~~
27 24 ~~capitol police except clerical workers.~~

27 25 ~~(2) Service as a member of a city fire retirement~~
27 26 ~~system or police retirement system operating under chapter 411~~
27 27 ~~prior to January 1, 1992, for which service was not eligible~~
27 28 ~~to be transferred to this system pursuant to section 97A.17.~~
27 29 Eligible qualified service under this paragraph "a" does
27 30 not include service if the receipt of credit for such service
27 31 would result in the member receiving a retirement benefit
27 32 under more than one retirement plan for the same period of
27 33 service.

27 34 b. "Permissive service credit" means credit that will be
27 35 recognized by the retirement system for purposes of
28 1 calculating a member's benefit, for which the member did not
28 2 previously receive service credit in the retirement system,
28 3 and for which the member voluntarily contributes to the
28 4 retirement system the amount required by the retirement
28 5 system, not in excess of the amount necessary to fund the
28 6 benefit attributable to such service.

28 7 2. An active member of the system may make contributions
28 8 to the system to purchase up to the maximum amount of
28 9 permissive service credit for eligible qualified service as
28 10 determined by the system, pursuant to Internal Revenue Code
28 11 section 415(n) and the requirements of this section. A member
28 12 seeking to purchase permissive service credit pursuant to this
28 13 section shall file a written application along with
28 14 appropriate documentation with the department by July 1, ~~2007~~
28 15 2009.

28 16 3. A member making contributions for a purchase of
28 17 permissive service credit for eligible qualified service under
28 18 this section shall make contributions in an amount equal to
28 19 the actuarial cost of the permissive service credit purchase.

28 20 less an amount equal to the member's contributions under
28 21 chapter 411 for the period of eligible qualified service
28 22 together with interest at a rate determined by the board of
28 23 trustees. For purposes of this subsection, the actuarial cost
28 24 of the permissive service credit purchase is an amount
28 25 determined by the system in accordance with actuarial tables,
28 26 as reported to the system by the system's actuary, which
28 27 reflects the actuarial cost necessary to fund an increased
28 28 retirement allowance resulting from the purchase of permissive
28 29 service credit.

28 30 Sec. 45. Section 103.6, Code Supplement 2007, is amended
28 31 by adding the following new subsection:

28 32 NEW SUBSECTION. 5. Adopt rules to create a special master
28 33 license class or subclass and special journeyman license class
28 34 or subclass for individuals who were licensed by a political
28 35 subdivision prior to January 1, 2008, pursuant to a supervised
29 1 written examination that has not been approved by the board
29 2 pursuant to section 103.10, subsection 4, or section 103.12,
29 3 subsection 4. A person licensed pursuant to this subsection
29 4 shall have the same authority as a person holding a
29 5 corresponding class A master license or class A journeyman
29 6 license. However, the board shall not be required to include
29 7 persons licensed under this subsection in any agreement
29 8 entered into pursuant to the authority granted under section
29 9 103.21.

29 10 Sec. 46. Section 103.22, Code Supplement 2007, is amended
29 11 by adding the following new subsection:

29 12 NEW SUBSECTION. 2A. Require firms or individuals working
29 13 under contract to municipal utilities, electric membership or
29 14 cooperative associations, or investor-owned utilities to hold
29 15 licenses while performing work for utilities which is within
29 16 the scope of the public service obligations of a utility.

29 17 Sec. 47. Section 135.63, subsection 2, paragraph 1, Code
29 18 2007, is amended to read as follows:

29 19 1. The replacement or modernization of any institutional
29 20 health facility if the replacement or modernization does not
29 21 add new health services or additional bed capacity for
29 22 existing health services, notwithstanding any provision in
29 23 this division to the contrary. With reference to a hospital,

29 24 "replacement" means establishing a new hospital that
29 25 demonstrates compliance with all of the following criteria
29 26 through evidence submitted to the department:

29 27 (1) Is designated as a critical access hospital pursuant
29 28 to 42 U.S.C. } 1395i-4.

29 29 (2) Serves at least seventy-five percent of the same
29 30 service area that was served by the prior hospital to be
29 31 closed and replaced by the new hospital.

29 32 (3) Provides at least seventy-five percent of the same
29 33 services that were provided by the prior hospital to be closed
29 34 and replaced by the new hospital.

29 35 (4) Is staffed by at least seventy-five percent of the
30 1 same staff, including medical staff, contracted staff, and
30 2 employees, as constituted the staff of the prior hospital to
30 3 be closed and replaced by the new hospital.

30 4 Sec. 48. Section 135B.5, Code 2007, is amended to read as
30 5 follows:

30 6 135B.5 ISSUANCE AND RENEWAL OF LICENSE.

30 7 1. Upon receipt of an application for license and the
30 8 license fee, the department shall issue a license if the
30 9 applicant and hospital facilities comply with this chapter and
30 10 the rules of the department. Each licensee shall receive
30 11 annual reapproval upon payment of ~~ten~~ five hundred dollars and
30 12 upon filing of an application form which is available from the
30 13 department. The annual licensure fee shall be dedicated to
30 14 support and provide educational programs on regulatory issues
30 15 for hospitals licensed under this chapter in consultation with
30 16 the hospital licensing board. Licenses shall be either

30 17 general or restricted in form. Each license shall be issued
30 18 only for the premises and persons or governmental units named
30 19 in the application and is not transferable or assignable
30 20 except with the written approval of the department. Licenses
30 21 shall be posted in a conspicuous place on the licensed
30 22 premises as prescribed by rule of the department.

30 23 2. ~~Provided, however, that the~~ The provisions of this
30 24 section shall not in any way affect, change, deny or nullify
30 25 any rights set forth in, or arising from the provisions of
30 26 this chapter and particularly section 135B.7, arising before
30 27 or after December 31, 1960.

30 28 Sec. 49. Section 135B.10, Code 2007, is amended to read as
30 29 follows:

30 30 135B.10 HOSPITAL LICENSING BOARD.

30 31 The governor shall appoint ~~five six~~ individuals ~~who possess~~
30 32 ~~recognized ability in the field of hospital administration~~, to
30 33 serve as the hospital licensing board within the department.
30 34 ~~Five members shall possess recognized ability in the field of~~
30 35 ~~hospital administration and one member shall be a member of~~
31 1 ~~the general public.~~

31 2 Sec. 50. Section 135C.40, subsection 1, Code 2007, is
31 3 amended to read as follows:

31 4 1. If the director determines, based on the findings of an
31 5 inspection or investigation of a health care facility, that
31 6 the facility is in violation of this chapter, ~~or rules adopted~~
31 7 ~~under this chapter, or the federal certification guidelines,~~
31 8 the director within ~~five ten~~ working days after ~~making the~~
31 9 ~~determination completion of an on-site survey, may shall issue~~
31 10 ~~a written citation all statements of deficiencies, including~~
31 11 ~~any state citations issued to the facility under rules adopted~~
31 12 ~~by the department.~~ The citation shall be served upon the
31 13 facility personally ~~or, by electronic mail, or by certified~~
31 14 mail, except that a citation for a Class III violation may be
31 15 sent by ordinary mail. Each citation shall specifically
31 16 describe the nature of the violation, identifying the Code
31 17 section or subsection or the rule or standard violated, and
31 18 the classification of the violation under section 135C.36.
31 19 Where appropriate, the citation shall also state the period of
31 20 time allowed for correction of the violation, which shall in
31 21 each case be the shortest period of time the department deems
31 22 feasible. Failure to correct a violation within the time
31 23 specified, unless the licensee shows that the failure was due
31 24 to circumstances beyond the licensee's control, shall subject
31 25 the facility to a further penalty of fifty dollars for each
31 26 day that the violation continues after the time specified for
31 27 correction.

31 28 a. ~~If a facility licensed under this chapter submits a~~
31 29 ~~plan of correction relating to a statement of deficiencies or~~
31 30 ~~a response to a citation issued under rules adopted by the~~
31 31 ~~department and the department elects to conduct an on-site~~
31 32 ~~revisit survey, the department shall commence the revisit~~
31 33 ~~survey within ten business days of the date that the plan of~~
31 34 ~~correction is received, or the date specified within the plan~~
31 35 ~~of correction alleging compliance, whichever is later.~~

32 1 b. ~~If the department recommends the issuance of federal~~
32 2 ~~remedies pursuant to 42 C.F.R. } 488.406(a)(2) or (a)(3),~~
32 3 ~~relating to a survey conducted by the department, the~~
32 4 ~~department shall issue the statement of deficiencies within~~
32 5 ~~twenty-four hours of the date that the centers for Medicare~~
32 6 ~~and Medicaid services of the United States department of~~
32 7 ~~health and human services was notified of the recommendation~~
32 8 ~~for the imposition of remedies.~~

32 9 Sec. 51. Section 175.2, subsection 1, paragraph m, Code
32 10 2007, is amended to read as follows:

32 11 m. (1) "Low or moderate net worth" means ~~a person's~~
32 12 ~~aggregate net worth calculated as a designated amount~~
32 13 ~~established pursuant to rules adopted by the authority and~~
32 14 ~~effective for one year. The designated amount shall be~~
32 15 ~~established by January 1 of each year by adjusting the~~
32 16 ~~designated amount effective on the previous December 31. The~~
32 17 ~~authority shall establish the designated amount in accordance~~
32 18 ~~with the prices paid by farmers index as compiled by the~~
32 19 ~~United States department of agriculture.~~

32 20 (2) "Low or moderate net worth" as applied to the
32 21 following persons means:

32 22 (1) (a) For an individual, an aggregate net worth of the
32 23 individual and the individual's spouse and minor children of
32 24 less than ~~three hundred thousand dollars~~ ~~the designated~~
32 25 ~~amount.~~

32 26 (2) (b) For a partnership, an aggregate net worth of all
32 27 partners, including each partner's net capital in the
32 28 partnership, and each partner's spouse and minor children of
32 29 less than ~~six hundred thousand dollars~~ ~~twice the designated~~
32 30 ~~amount.~~ However, the aggregate net worth of each partner and
32 31 that partner's spouse and minor children shall not exceed
32 32 ~~three hundred thousand dollars~~ ~~the designated amount.~~

32 33 (3) (c) For a family farm corporation, an aggregate net
32 34 worth of all shareholders, including the value of each
32 35 shareholder's share in the family farm corporation, and each
33 1 shareholder's spouse and minor children of less than ~~six~~
33 2 ~~hundred thousand dollars~~ ~~twice the designated amount.~~
33 3 However, the aggregate net worth of each shareholder and that
33 4 shareholder's spouse and minor children shall not exceed ~~three~~
33 5 ~~hundred thousand dollars~~ ~~the designated amount.~~

33 6 (4) (d) For a family farm limited liability company, an

33 7 aggregate net worth of all members, including each member's
33 8 ownership interest in the family farm limited liability
33 9 company, and each member's spouse and minor children of less
33 10 than ~~six hundred thousand dollars~~ twice the designated amount.
33 11 However, the aggregate net worth of each member and that
33 12 member's spouse and minor children shall not exceed ~~three~~
~~33 13 hundred thousand dollars~~ the designated amount.

33 14 Sec. 52. Section 216A.162, subsection 2, if enacted by
33 15 2008 Iowa Acts, Senate File 2400, is amended to read as
33 16 follows:

33 17 2. The purpose of the commission shall be to work in
33 18 concert with ~~tribal governments~~, Native American groups, and
33 19 Native ~~American persons~~ Americans in this state to advance the
33 20 interests of ~~tribal governments and Native American persons~~
33 21 Americans in the areas of human rights, access to justice,
33 22 economic equality, and the elimination of discrimination.

33 23 Sec. 53. Section 216A.162, subsection 3, paragraph a, if
33 24 enacted by 2008 Iowa Acts, Senate File 2400, is amended to
33 25 read as follows:

33 26 a. Seven public members appointed in compliance with
33 27 sections 69.16 and 69.16A who shall be appointed with
33 28 consideration given to the geographic residence of the member
33 29 and the population density of Native Americans within the
33 30 vicinity of the geographic residence of a member. Of the
33 31 seven public members appointed, at least one shall be a Native
33 32 American who is an enrolled tribal member living on a tribal
33 33 settlement or reservation in Iowa and whose tribal government
33 34 is located in Iowa ~~and one shall be a Native American who is~~
~~33 35 primarily descended from a tribe other than those specified in~~
~~34 1 paragraph "b"~~.

34 2 Sec. 54. Section 216A.165, if enacted by 2008 Iowa Acts,
34 3 Senate File 2400, is amended to read as follows:

34 4 216A.165 DUTIES.
34 5 The commission shall have all powers necessary to carry out
34 6 the functions and duties specified in this subchapter and
34 7 shall do all of the following:

34 8 1. Advise the governor and the general assembly on issues
34 9 confronting ~~tribal governments and Native American persons~~
34 10 Americans in this state.

34 11 2. Promote legislation beneficial to ~~tribal governments~~
~~34 12 and Native American persons~~ Americans in this state.

34 13 3. Recommend to the governor and the general assembly any
34 14 revisions in the state's affirmative action program and other
34 15 steps necessary to eliminate discrimination against and the
34 16 underutilization of Native ~~American persons~~ Americans in the
34 17 state's workforce.

34 18 4. Serve as a conduit to state government for Native
34 19 ~~American persons~~ Americans in this state.

34 20 5. Serve as an advocate for Native ~~American persons~~
34 21 Americans and a referral agency to assist Native ~~American~~
~~34 22 persons~~ Americans in securing access to justice and state
34 23 agencies and programs.

34 24 6. Serve as a liaison with federal, state, and local
34 25 governmental units, and private organizations on matters
34 26 relating to Native ~~American persons~~ Americans in this state.

34 27 7. Conduct studies, make recommendations, and implement
34 28 programs designed to solve the problems of Native ~~American~~
~~34 29 persons~~ Americans in this state in the areas of human rights,
34 30 housing, education, welfare, employment, health care, access
34 31 to justice, and any other related problems.

34 32 8. Publicize the accomplishments of Native ~~American~~
~~34 33 persons~~ Americans and their contributions to this state.

34 34 9. Work with other state, tribal, and federal agencies and
34 35 organizations to develop small business opportunities and
35 1 promote economic development for Native ~~American persons~~
35 2 Americans.

35 3 Sec. 55. Section 216A.166, if enacted by 2008 Iowa Acts,
35 4 Senate File 2400, is amended to read as follows:

35 5 216A.166 REVIEW OF GRANT APPLICATIONS AND BUDGET REQUESTS.
35 6 Before the submission of an application, a state department
35 7 or agency shall consult with the commission concerning an
35 8 application for federal funding that will have its primary
35 9 effect on ~~tribal governments or Native American persons~~
35 10 Americans. The commission shall advise the governor, the
35 11 director of the department of human rights, and the director
35 12 of revenue concerning any state agency budget request that
35 13 will have its primary effect on ~~tribal governments or Native~~
35 14 ~~American persons~~ Americans.

35 15 Sec. 56. NEW SECTION. 231C.20 CITATIONS == MONITORING
35 16 VISITS.

35 17 1. All results of state monitoring visits, including

35 18 complaint investigations or certification inspections
35 19 conducted by the department pursuant to this chapter or rules
35 20 adopted by the department shall be submitted by the department
35 21 personally, by electronic mail, or by certified mail to the
35 22 program no later than ten business days following completion
35 23 of an on-site monitoring visit, if findings of noncompliance
35 24 are cited.

35 25 2. If a program certified under this chapter submits a
35 26 plan of correction relating to the statement of noncompliance
35 27 or a response to a civil penalty issued under rules adopted by
35 28 the department, and the department elects to conduct an
35 29 on-site monitoring revisit, the department shall commence the
35 30 monitoring revisit within ten business days of the date that
35 31 the plan of correction is received, or the date specified
35 32 within the plan of correction alleging compliance, whichever
35 33 is later.

35 34 Sec. 57. NEW SECTION. 279.67 COMPETITIVE LIVING WAGE.

35 35 It is the goal of this state that every employee of a
36 1 public school corporation be provided with a competitive
36 2 living wage.

36 3 Sec. 58. Section 321A.3, subsections 1, 5, and 6, Code
36 4 Supplement 2007, are amended to read as follows:

36 5 1. The department shall upon request furnish any person a
36 6 certified abstract of the operating record of a person subject
36 7 to chapter 321, 321J, or this chapter. The abstract shall
36 8 also fully designate the motor vehicles, if any, registered in
36 9 the name of the person. If there is no record of a conviction
36 10 of the person having violated any law relating to the
36 11 operation of a motor vehicle or of any injury or damage caused
36 12 by the person, the department shall so certify. A fee of five
36 13 dollars and fifty cents shall be paid for each abstract except
36 14 for state, county, or city officials, court officials, public
36 15 transit officials, or other officials of a political
36 16 subdivision of the state or a nonprofit charitable
36 17 organization described in section 501(c)(3) of the Internal

36 18 Revenue Code. The department shall transfer the moneys
36 19 collected under this section to the treasurer of state who
36 20 shall credit to the general fund all moneys collected.

~~36 21 5. The department may permit any person to view the
36 22 operating record of a person subject to chapter 321 or this
36 23 chapter through one of the department's computer terminals or
36 24 through a computer printout generated by the department. The
36 25 department shall not require a fee for a person to view their
36 26 own operating record, but the department shall impose a fee of
36 27 one dollar for each of the first five operating records viewed
36 28 within a calendar day and two dollars for each additional
36 29 operating record viewed within the calendar day.~~

36 30 6. Fees under ~~subsections subsection 1 and 5~~ may be paid
36 31 by credit cards, as defined in section 537.1301, subsection
36 32 17, approved for that purpose by the department of
36 33 transportation. The department shall enter into agreements
36 34 with financial institutions extending credit through the use
36 35 of credit cards to ensure payment of the fees. The department
37 1 shall adopt rules pursuant to chapter 17A to implement the
37 2 provisions of this subsection.

37 3 Sec. 59. Section 321A.3, Code Supplement 2007, is amended
37 4 by adding the following new subsection:

37 5 NEW SUBSECTION. 8. A person making a request for a record
37 6 or an abstract under this section that is subject to a fee
37 7 shall only use the record or abstract requested one time, for
37 8 one purpose, and it shall not supply that record to more than
37 9 one other person. Any subsequent use of the same record or
37 10 abstract shall require that the person make a subsequent
37 11 request for the record or abstract and pay an additional fee
37 12 for the request in the same manner as provided for the initial
37 13 request. A person requesting a record or an abstract pursuant
37 14 to this section shall keep records identifying who the record
37 15 or abstract is provided to, and the use of the record or
37 16 abstract, for a period of five years. Records maintained
37 17 pursuant to this subsection shall be made available to the
37 18 department upon request. A person shall not sell, retain,
37 19 distribute, provide, or transfer any record or abstract
37 20 information or portion of the record or abstract information
37 21 acquired under this agreement except as authorized by the
37 22 department and the federal Driver's Privacy Protection Act, 18
37 23 U.S.C. } 2721=2725.

37 24 Sec. 60. Section 331.304, subsection 10, Code Supplement
37 25 2007, is amended to read as follows:

37 26 10. A county shall not adopt or enforce any ordinance
37 27 imposing any registration or licensing system or registration
37 28 or license fees for or relating to owner-occupied manufactured

37 29 or mobile homes including the lots, ~~or~~ lands, or manufactured
37 30 home community or mobile home park upon or in which they are
37 31 located. A county shall not adopt or enforce any ordinance
37 32 imposing any registration or licensing system, or registration
37 33 or license fees, or safety or sanitary standards for rental
37 34 manufactured or mobile homes unless similar registration or
37 35 licensing system, or registration or license fees, or safety
38 1 or sanitary standards are required for other rental properties
38 2 intended for human habitation. This subsection does not
38 3 preclude the investigation and abatement of a nuisance or the
38 4 enforcement of a tiedown system, or the enforcement of any
38 5 regulations of the state or local board of health if those
38 6 regulations apply to other rental properties or to
38 7 owner-occupied housing intended for human habitation.

38 8 Sec. 61. Section 364.3, subsection 5, Code 2007, is
38 9 amended to read as follows:

38 10 5. A city shall not adopt or enforce any ordinance
38 11 imposing any registration or licensing system or registration
38 12 or license fees for or relating to owner-occupied manufactured
38 13 or mobile homes including the lots, ~~or~~ lands, or manufactured
38 14 home community or mobile home park upon or in which they are
38 15 located. A city shall not adopt or enforce any ordinance
38 16 imposing any registration or licensing system, or registration
38 17 or license fees, or safety or sanitary standards for rental
38 18 manufactured or mobile homes unless a similar registration or
38 19 licensing system, or registration or license fees, or safety
38 20 or sanitary standards are required for other rental properties
38 21 intended for human habitation. This subsection does not
38 22 preclude the investigation and abatement of a nuisance or the
38 23 enforcement of a tiedown system, or the enforcement of any
38 24 regulations of the state or local board of health if those
38 25 regulations apply to other rental properties or to
38 26 owner-occupied housing intended for human habitation.

38 27 Sec. 62. NEW SECTION. 422.11V CHARITABLE CONSERVATION
38 28 CONTRIBUTION TAX CREDIT.

38 29 1. The taxes imposed under this division, less the credits
38 30 allowed under section 422.12, shall be reduced by a charitable
38 31 conservation contribution tax credit equal to fifty percent of
38 32 the fair market value of a qualified real property interest
38 33 located in the state that is conveyed as an unconditional
38 34 charitable donation in perpetuity by the taxpayer to a
38 35 qualified organization exclusively for conservation purposes.
39 1 The maximum amount of tax credit is one hundred thousand
39 2 dollars. The amount of the contribution for which the tax
39 3 credit is claimed shall not be deductible in determining
39 4 taxable income for state tax purposes.

39 5 2. For purposes of this section, "conservation purpose",
39 6 "qualified organization", and "qualified real property
39 7 interest" mean the same as defined for the qualified
39 8 conservation contribution under section 170(h) of the Internal
39 9 Revenue Code, except that a conveyance of land for open space
39 10 for the purpose of fulfilling density requirements to obtain
39 11 subdivision or building permits shall not be considered a
39 12 conveyance for a conservation purpose.

39 13 3. Any credit in excess of the tax liability is not
39 14 refundable but the excess for the tax year may be credited to
39 15 the tax liability for the following twenty tax years or until
39 16 depleted, whichever is the earlier.

39 17 4. An individual may claim the tax credit allowed a
39 18 partnership, limited liability company, S corporation, estate,
39 19 or trust electing to have the income taxed directly to the
39 20 individual. The amount claimed by the individual shall be
39 21 based upon the pro rata share of the individual's earnings of
39 22 the partnership, limited liability company, S corporation,
39 23 estate, or trust.

39 24 Sec. 63. Section 422.33, Code Supplement 2007, is amended
39 25 by adding the following new subsection:

39 26 NEW SUBSECTION. 25. a. The taxes imposed under this
39 27 division shall be reduced by a charitable conservation
39 28 contribution tax credit equal to fifty percent of the fair
39 29 market value of a qualified real property interest located in
39 30 the state that is conveyed as an unconditional charitable
39 31 donation in perpetuity by the taxpayer to a qualified
39 32 organization exclusively for conservation purposes. The
39 33 maximum amount of tax credit is one hundred thousand dollars.
39 34 The amount of the contribution for which the tax credit is
39 35 claimed shall not be deductible in determining taxable income
40 1 for state tax purposes.

40 2 b. For purposes of this section, "conservation purpose",
40 3 "qualified organization", and "qualified real property
40 4 interest" mean the same as defined for the qualified

40 5 conservation contribution under section 170(h) of the Internal
40 6 Revenue Code, except that a conveyance of land for open space
40 7 for the purpose of fulfilling density requirements to obtain
40 8 subdivision or building permits shall not be considered a
40 9 conveyance for a conservation purpose.

40 10 c. Any credit in excess of the tax liability is not
40 11 refundable but the excess for the tax year may be credited to
40 12 the tax liability for the following twenty tax years or until
40 13 depleted, whichever is the earlier.

40 14 Sec. 64. Section 423.6, subsection 14, Code 2007, is
40 15 amended to read as follows:

40 16 14. Mobile homes to the extent of the portion of the
40 17 purchase price of the mobile home which is not attributable to
40 18 the cost of the tangible personal property used in the
40 19 processing of the mobile home, and manufactured housing to the
40 20 extent of the purchase price or the installed purchase price
40 21 of the manufactured housing which is not attributable to the
40 22 cost of the tangible personal property used in the processing
40 23 of the manufactured housing. For purposes of this exemption,
40 24 the portion of the purchase price which is not attributable to
40 25 the cost of the tangible personal property used in the
40 26 processing of the mobile home is ~~forty eighty~~ percent and the
40 27 portion of the purchase price or installed purchase price
40 28 which is not attributable to the cost of the tangible personal
40 29 property used in the processing of the manufactured housing is
40 30 ~~forty eighty~~ percent.

40 31 Sec. 65. Section 423B.1, subsection 6, Code Supplement
40 32 2007, is amended by adding the following new paragraph:

40 33 NEW PARAGRAPH. c. Notwithstanding any other provision in
40 34 this section, a change in use of the local sales and services
40 35 tax revenues for purposes of funding an urban renewal project
41 1 pursuant to section 423B.10 does not require an election.

41 2 Sec. 66. Section 423B.7, subsection 1, Code 2007, is
41 3 amended to read as follows:

41 4 1. a. The Except as provided in paragraph "b", the
41 5 director shall credit the local sales and services tax
41 6 receipts and interest and penalties from a county-imposed tax
41 7 to the county's account in the local sales and services tax
41 8 fund and from a city-imposed tax under section 423B.1,
41 9 subsection 2, to the city's account in the local sales and
41 10 services tax fund. If the director is unable to determine
41 11 from which county any of the receipts were collected, those
41 12 receipts shall be allocated among the possible counties based
41 13 on allocation rules adopted by the director.

41 14 b. Notwithstanding paragraph "a", the director shall
41 15 credit the designated amount of the increase in local sales
41 16 and services tax receipts, as computed in section 423B.10,
41 17 collected in an urban renewal area of an eligible city that
41 18 has adopted an ordinance pursuant to section 423B.10,
41 19 subsection 2, into a special city account in the local sales
41 20 and services tax fund.

41 21 Sec. 67. Section 423B.7, Code 2007, is amended by adding
41 22 the following new subsection:

41 23 NEW SUBSECTION. 5A. From each special city account, the
41 24 revenues shall be remitted to the city council for deposit in
41 25 the special fund created in section 403.19, subsection 2, to
41 26 be used by the city as provided in section 423B.10. The
41 27 distribution from the special city account is not subject to
41 28 the distribution formula provided in subsections 3, 4, and 5.

41 29 Sec. 68. NEW SECTION. 423B.10 FUNDING URBAN RENEWAL
41 30 PROJECTS.

41 31 1. For purposes of this section, unless the context
41 32 otherwise requires:

41 33 a. "Base year" means the fiscal year during which an
41 34 ordinance is adopted that provides for funding of an urban
41 35 renewal project by a designated amount of the increased sales
42 1 and services tax revenues.

42 2 b. "Eligible city" means a city in which a local sales and
42 3 services tax imposed by the county applies or a city described
42 4 in section 423B.1, subsection 2, paragraph "a", and in which
42 5 an urban renewal area has been designated.

42 6 c. "Retail establishment" means a business operated by a
42 7 retailer as defined in section 423.1.

42 8 d. "Urban renewal area" and "urban renewal project" mean
42 9 the same as defined in section 403.17.

42 10 2. An eligible city may by ordinance of the city council
42 11 provide for the use of a designated amount of the increased
42 12 local sales and services tax revenues collected under this
42 13 chapter which are attributable to retail establishments in an
42 14 urban renewal area to fund urban renewal projects located in
42 15 the area. The designated amount may be all or a portion of

42 16 such increased revenues.

42 17 3. To determine the revenue increase for purposes of
42 18 subsection 2, revenue amounts shall be calculated by the
42 19 department of revenue as follows:

42 20 a. Determine the amount of local sales and services tax
42 21 revenue collected from retail establishments located in the
42 22 area comprising the urban renewal area during the base year.

42 23 b. Determine the current year revenue amount for each
42 24 fiscal year following the base year in the manner specified in
42 25 paragraph "a".

42 26 c. The excess of the amount determined in paragraph "b"
42 27 over the base year revenue amount determined in paragraph "a"
42 28 is the increase in the local sales and services tax revenues
42 29 of which the designated amount is to be deposited in the
42 30 special city account created in section 423B.7, subsection 5A.

42 31 4. The ordinance adopted pursuant to this section is
42 32 repealed when the area ceases to be an urban renewal area or
42 33 twenty years following the base year, whichever is the
42 34 earlier.

42 35 5. In addition to the moneys received pursuant to the
43 1 ordinance authorized under subsection 2, an eligible city may
43 2 deposit any other local sales and services tax revenues
43 3 received by it pursuant to the distribution formula in section
43 4 423B.7, subsections 3, 4, and 5, to the special fund described
43 5 in section 403.19, subsection 2.

43 6 6. For purposes of this section, the eligible city shall
43 7 assist the department of revenue in identifying retail
43 8 establishments in the urban renewal area that are collecting
43 9 the local sales and services tax. This process shall be
43 10 ongoing until the ordinance is repealed.

43 11 Sec. 69. Section 423E.4, subsection 3, paragraph b,
43 12 subparagraph (2), Code 2007, as amended by 2008 Iowa Acts,
43 13 House File 2663, section 21, if enacted, is amended to read as
43 14 follows:

43 15 (2) "Sales tax capacity per student" means for a school
43 16 district the estimated amount of revenues that a school
43 17 district would receive if a local sales and services tax for
43 18 school infrastructure purposes was imposed at one percent in
43 19 the county pursuant to section 423E.2, Code 2007, ~~as computed~~
~~43 20 in subsection 8,~~ divided by the school district's actual
43 21 enrollment as determined in section 423E.3, subsection 5,
43 22 paragraph "d".

43 23 Sec. 70. Section 423E.4, subsection 3, paragraph b,
43 24 subparagraph (3), Code 2007, as amended by 2008 Iowa Acts,
43 25 House File 2663, section 22, if enacted, is amended to read as
43 26 follows:

43 27 (3) "Statewide tax revenues per student" means the amount
43 28 determined by estimating the total revenues that would be
43 29 generated by a one percent local option sales and services tax
43 30 for school infrastructure purposes if imposed by all the
43 31 counties during the entire fiscal year, ~~as computed in~~
~~43 32 subsection 8,~~ and dividing this estimated revenue amount by
43 33 the sum of the combined actual enrollment for all counties as
43 34 determined in section 423E.3, subsection 5, paragraph "d",
43 35 subparagraph (2).

44 1 Sec. 71. Section 423E.4, subsection 8, as enacted by 2008
44 2 Iowa Acts, House File 2663, section 25, if enacted, is amended
44 3 by striking the subsection.

44 4 Sec. 72. Section 423F.2, subsection 1, paragraph b, as
44 5 enacted by 2008 Iowa Acts, House File 2663, section 28, if
44 6 enacted, is amended to read as follows:

44 7 b. The increase in the state sales, services, and use
44 8 taxes under chapter 423, subchapters II and III, from five
44 9 percent to six percent shall replace the repeal of the
44 10 county's local sales and services tax for school
44 11 infrastructure purposes. The distribution of moneys in the
44 12 secure an advanced vision for education fund and the use of
44 13 the moneys for infrastructure purposes or property tax relief
44 14 shall be as provided in this chapter. However, the formula
44 15 for the distribution of the moneys in the fund shall be based
44 16 upon amounts that would have been received if the local sales
44 17 and services taxes under chapter 423E, Code 2007, continued in
44 18 existence, ~~as computed pursuant to section 423E.4, subsection~~
~~44 19 8.~~

44 20 Sec. 73. Section 423F.3, subsection 3, paragraph c, as
44 21 enacted by 2008 Iowa Acts, House File 2663, section 29, if
44 22 enacted, is amended to read as follows:

44 23 c. The board secretary shall notify the county
44 24 commissioner of elections of the intent to take the issue to
44 25 the voters. The county commissioner of elections shall
44 26 publish the notices required by law for special or general

44 27 elections, and the election shall be held ~~not sooner than~~
44 28 ~~thirty days nor later than forty days after notice from the~~
44 29 ~~school board on a date specified in section 39.2, subsection~~
44 30 ~~4, paragraph "c".~~ A majority of those voting on the question
44 31 must favor approval of the revenue purpose statement. If the
44 32 proposal is not approved, the school district shall not submit
44 33 the same or new revenue purpose statement to the electors for
44 34 a period of six months from the date of the previous election.

44 35 Sec. 74. Section 441.37A, subsection 1, unnumbered
45 1 paragraph 1, Code 2007, is amended to read as follows:

45 2 For the assessment year beginning January 1, 2007, and all
45 3 subsequent assessment years, appeals may be taken from the
45 4 action of the board of review with reference to protests of
45 5 assessment, valuation, or application of an equalization order
45 6 to the property assessment appeal board created in section
45 7 421.1A. However, a property owner or aggrieved taxpayer or an
45 8 appellant described in section 441.42 may bypass the property
45 9 assessment appeal board and appeal the decision of the local
45 10 board of review to the district court pursuant to section
45 11 441.38. For an appeal to the property assessment appeal board
45 12 to be valid, written notice must be filed by the party
45 13 appealing the decision with the secretary of the property
45 14 assessment appeal board within twenty days after the date the
45 15 board of review's letter of disposition of the appeal is
45 16 postmarked to the party making the protest. The written
45 17 notice of appeal shall include a petition setting forth the
45 18 basis of the appeal and the relief sought. No new grounds in
45 19 addition to those set out in the protest to the local board of
45 20 review as provided in section 441.37 can be pleaded, but
45 21 additional evidence to sustain those grounds may be
45 22 introduced. The assessor shall have the same right to appeal
45 23 to the assessment appeal board as an individual taxpayer,
45 24 public body, or other public officer as provided in section
45 25 441.42. An appeal to the board is a contested case under
45 26 chapter 17A.

45 27 Sec. 75. Section 441.37A, subsection 2, unnumbered
45 28 paragraph 2, Code 2007, is amended to read as follows:

45 29 An appeal may be considered by less than a majority of the
45 30 members of the board, and the chairperson of the board may
45 31 assign members to consider appeals. If a hearing is
45 32 requested, it shall be open to the public and shall be
45 33 conducted in accordance with the rules of practice and
45 34 procedure adopted by the board. However, any deliberation of
45 35 a board member considering the appeal in reaching a decision
46 1 on any appeal shall be confidential. A meeting of the board
46 2 to rule on procedural motions in a pending appeal or to
46 3 deliberate on the decision to be reached in an appeal is
46 4 exempt from the provisions of chapter 21. The property
46 5 assessment appeal board or any member of the board may require
46 6 the production of any books, records, papers, or documents as
46 7 evidence in any matter pending before the board that may be
46 8 material, relevant, or necessary for the making of a just
46 9 decision. Any books, records, papers, or documents produced
46 10 as evidence shall become part of the record of the appeal.
46 11 Any testimony given relating to the appeal shall be
46 12 transcribed and made a part of the record of the appeal.

46 13 Sec. 76. Section 441.38, subsection 1, Code 2007, is
46 14 amended to read as follows:

46 15 1. Appeals may be taken from the action of the local board
46 16 of review with reference to protests of assessment, to the
46 17 district court of the county in which the board holds its
46 18 sessions within twenty days after its adjournment or May 31,
46 19 whichever date is later. Appeals may be taken from the action
46 20 of the property assessment appeal board to the district court
46 21 of the county where the property which is the subject of the
46 22 appeal is located within twenty days after the letter of
46 23 disposition of the appeal by the property assessment appeal
46 24 board is postmarked to the appellant. No new grounds in
46 25 addition to those set out in the protest to the local board of
46 26 review as provided in section 441.37, or in addition to those
46 27 set out in the appeal to the property assessment appeal board,
46 28 if applicable, can be pleaded, ~~but additional.~~ Additional
46 29 evidence to sustain those grounds may be introduced in an
46 30 appeal from the local board of review to the district court.

46 31 However, no new evidence to sustain those grounds may be
46 32 introduced in an appeal from the property assessment appeal
46 33 board to the district court. The assessor shall have the same
46 34 right to appeal and in the same manner as an individual
46 35 taxpayer, public body, or other public officer as provided in
47 1 section 441.42. Appeals shall be taken by filing a written
47 2 notice of appeal with the clerk of district court. Filing of

47 3 the written notice of appeal shall preserve all rights of
47 4 appeal of the appellant.

47 5 Sec. 77. NEW SECTION. 441.38B APPEAL TO DISTRICT COURT
47 6 FROM PROPERTY ASSESSMENT APPEAL BOARD.

47 7 A person or party who is aggrieved or adversely affected by
47 8 a decision of the property assessment appeal board may seek
47 9 judicial review of the decision as provided in chapter 17A and
47 10 section 441.38.

47 11 Sec. 78. NEW SECTION. 455C.17 GRANTS FOR INDEPENDENT
47 12 REDEMPTION CENTERS.

47 13 1. An independent redemption center grant program shall be
47 14 established by the department to award grants for improvements
47 15 to independent redemption centers. An "independent redemption
47 16 center" is a redemption center that is also a nonprofit or a
47 17 for-profit facility that has existed prior to July 1, 2008,
47 18 and that is not affiliated with or in any way a subsidiary of
47 19 a dealer, a distributor, or a manufacturer.

47 20 2. a. An independent redemption center grant fund is
47 21 established in the state treasury under the authority of the
47 22 department. The fund shall consist of moneys appropriated to
47 23 the fund or appropriated to the department for purposes of the
47 24 grant program. Moneys in the fund are appropriated to the
47 25 department to be used for the grant program.

47 26 b. Notwithstanding section 8.33, moneys in the fund at the
47 27 close of any fiscal year shall not revert to any other fund
47 28 but shall remain in the fund for the subsequent fiscal year to
47 29 be used for purposes of the fund.

47 30 3. a. Moneys in the grant fund shall be used by the
47 31 department to provide grants to independent redemption centers
47 32 for purposes of making improvements to such centers. The
47 33 department shall not award grants in a fiscal year in an
47 34 aggregate of more than one million dollars. A grant shall not
47 35 exceed fifteen thousand dollars for any independent redemption
48 1 center.

48 2 b. The department shall not pay administrative costs
48 3 relating to the management of the grant program in excess of
48 4 three and one-half percent of the moneys in the fund in a
48 5 fiscal year.

48 6 Sec. 79. Section 535.8, subsection 1, Code 2007, is
48 7 amended by striking the subsection and inserting in lieu
48 8 thereof the following:

48 9 1. DEFINITIONS. For purposes of this section, unless the
48 10 context otherwise requires:

48 11 a. "Lender" means a person who makes or originates a loan;
48 12 a person who is identified as a lender on the loan documents;
48 13 a person who arranges, negotiates, or brokers a loan; and a
48 14 person who provides any goods or services as an incident to or
48 15 as a condition required for the making or closing of the loan.
48 16 "Lender" does not include a licensed attorney admitted to
48 17 practice in this state acting solely as an incident to the
48 18 practice of law.

48 19 b. "Loan" means a loan of money which is wholly or in part
48 20 to be used for the purpose of purchasing real property which
48 21 is a single-family or two-family dwelling occupied or to be
48 22 occupied by the borrower. A loan includes the refinancing of
48 23 a contract of sale, and the refinancing of a prior loan,
48 24 whether or not the borrower also was the borrower under the
48 25 prior loan, and the assumption of a prior loan.

48 26 Sec. 80. Section 535.8, subsection 2, paragraphs a and b,
48 27 Code 2007, are amended to read as follows:

48 28 a. ~~A lender may collect~~ borrower may be charged by a
48 29 lender, in connection with a loan made pursuant to a written
48 30 agreement executed by the borrower on or after July 1, 1983,
48 31 or in connection with a loan made pursuant to a written
48 32 commitment by the lender mailed or delivered to the borrower
48 33 on or after that date, a loan origination or processing fee, a
48 34 broker fee, or both, which ~~does together do~~ not exceed two
48 35 percent of an amount which is equal to the loan principal;
49 1 except that to the extent of an assumption by a new borrower
49 2 of the obligation to make payments under a prior loan, or to
49 3 the extent that the loan principal is used to refinance a
49 4 prior loan between the same borrower and the same lender, the
49 5 ~~lender may collect~~ borrower may be charged by a lender a loan
49 6 origination or processing fee, a broker fee, or both, which
49 7 ~~does together do~~ not exceed an amount which is a reasonable
49 8 estimate of the expenses of processing the loan assumption or
49 9 refinancing but which does not exceed one percent of the
49 10 unpaid balance of the loan that is assumed or refinanced. In
49 11 addition, a ~~lender may collect from a borrower, a seller of~~
49 12 ~~property, another lender, or any other person, or from any~~
49 13 ~~combination of these persons~~ borrower may be charged by a

49 14 lender, in contemplation of or in connection with a loan, a
49 15 commitment fee, closing fee, or both, that is agreed to in
49 16 writing by the lender and the ~~persons from whom the charges~~
49 17 ~~are to be collected borrower~~. A loan fee ~~collected paid by a~~
49 18 ~~borrower to a lender~~ under this paragraph is compensation to
49 19 the lender solely for the use of money, notwithstanding any
49 20 provision of the agreement to the contrary. However, a loan
49 21 fee collected under this paragraph shall be disregarded for
49 22 purposes of determining the maximum charge permitted by
49 23 section 535.2 or 535.9, subsection 2. ~~The collection~~ A lender
49 24 ~~is prohibited from charging a borrower~~ in connection with a
49 25 loan ~~of a loan origination or processing fee, broker fee,~~
49 26 closing fee, commitment fee, or similar charge ~~is prohibited~~
49 27 other than expressly authorized by this paragraph or a payment
49 28 reduction fee authorized by subsection 3.
49 29 b. A ~~lender may collect~~ borrower may be charged by a
49 30 lender in connection with a loan any of the following costs
49 31 which are incurred by the lender in connection with the loan
49 32 and which are disclosed to the borrower:
49 33 (1) Credit reports.
49 34 (2) Appraisal fees paid to a third party, or when the
49 35 appraisal is performed by the lender, a fee which is a
50 1 reasonable estimate of the expense incurred by the lender in
50 2 performing the appraisal.
50 3 (3) Attorney's opinions.
50 4 (4) Abstracting fees paid to a third party, or when the
50 5 abstracting is performed by the lender, a fee which is a
50 6 reasonable estimate of the expense incurred by the lender in
50 7 performing the abstracting.
50 8 (5) County recorder's fees.
50 9 (6) Inspection fees.
50 10 (7) Mortgage guarantee insurance charge.
50 11 (8) Surveying of property.
50 12 (9) Termite inspection.
50 13 (10) The cost of a title guaranty issued by the Iowa
50 14 finance authority pursuant to chapter 16.
50 15 (11) ~~A bona fide and reasonable settlement or closing fee~~
50 16 ~~which is paid to a third party to settle or close the loan.~~
50 17 The lender shall not charge the borrower for the cost of
50 18 revenue stamps or real estate commissions which are paid by
50 19 the seller.
50 20 ~~The collection of A lender shall not charge the borrower~~
50 21 any costs other than ~~as~~ expressly permitted by this paragraph
50 22 "b" ~~is prohibited~~. However, additional costs incurred in
50 23 connection with a loan under this paragraph "b", if bona fide
50 24 and reasonable, may be collected by a state-chartered
50 25 financial institution licensed under chapter 524, 533, or 534,
50 26 to the extent permitted under applicable federal law as
50 27 determined by the office of the comptroller of the currency of
50 28 the United States department of treasury, the national credit
50 29 union administration, or the office of thrift supervision of
50 30 the United States department of treasury. Such costs shall
50 31 apply only to the same type of state-chartered entity as the
50 32 federally chartered entity affected and shall apply to and may
50 33 be collected by an insurer organized under chapter 508 or 515,
50 34 or otherwise authorized to conduct the business of insurance
50 35 in this state.
51 1 Nothing in this section shall be construed to change the
51 2 prohibition against the sale of title insurance or sale of
51 3 insurance against loss or damage by reason of defective title
51 4 or encumbrances as provided in section 515.48, subsection 10.
51 5 Sec. 81. Section 622.10, subsection 3, paragraphs a, d,
51 6 and e, Code Supplement 2007, are amended to read as follows:
51 7 a. In a civil action in which the condition of the
51 8 plaintiff in whose favor the prohibition is made is an element
51 9 or factor of the claim or defense of the adverse party or of
51 10 any party claiming through or under the adverse party, the
51 11 adverse party shall make a written request for records
51 12 relating to the condition alleged upon the plaintiff's ~~counsel~~
51 13 ~~attorney~~ for a legally sufficient patient's waiver under
51 14 federal and state law. Upon receipt of a written request, the
51 15 plaintiff shall execute ~~the a legally sufficient patient's~~
51 16 waiver and release it to the adverse party making the request
51 17 within sixty days of receipt of the written request. The
51 18 patient's waiver may require a physician or surgeon, physician
51 19 assistant, advanced registered nurse practitioner, or mental
51 20 health professional to do all of the following:
51 21 (1) Provide a complete copy of the patient's records
51 22 including, but not limited to, any reports or diagnostic
51 23 imaging relating to the condition alleged.
51 24 (2) Consult with the attorney for the adverse party prior

51 25 to providing testimony regarding the plaintiff's medical
51 26 history and the condition alleged and opinions regarding
51 27 health etiology and prognosis for the condition alleged
51 28 subject to the limitations in ~~paragraph~~ paragraphs "c" and
51 29 "e".

51 30 d. Any physician or surgeon, physician assistant, advanced
51 31 registered nurse practitioner, or mental health professional
51 32 who provides records or consults with the ~~counsel~~ attorney for
51 33 ~~the adverse~~ any party shall be entitled to charge a reasonable
51 34 fee for production of the records, diagnostic imaging, and
51 35 consultation. Any party seeking consultation shall be
52 1 responsible for payment of all charges. The ~~fee~~ fees for
52 2 copies of any records shall ~~be based upon actual cost of~~
52 3 ~~production be as specified in subsection 4A.~~

52 4 e. Defendant's counsel shall provide a written notice to
52 5 plaintiff's ~~counsel~~ attorney in a manner consistent with the
52 6 Iowa rules of civil procedure providing for notice of
52 7 deposition at least ten days prior to any meeting with
52 8 plaintiff's physician or surgeon, physician assistant,
52 9 advanced registered nurse practitioner, or mental health
52 10 professional. Plaintiff's ~~counsel~~ attorney has the right to
52 11 be present at all such meetings, or participate in telephonic
52 12 communication with the physician or surgeon, physician
52 13 assistant, advanced registered nurse practitioner, or mental
52 14 health professional and ~~counsel~~ attorney for the defendant.
52 15 Prior to scheduling any meeting or engaging in any
52 16 communication with the physician or surgeon, physician
52 17 assistant, advanced registered nurse practitioner, or mental
52 18 health professional, attorney for the defendant shall confer
52 19 with plaintiff's attorney to determine a mutually convenient
52 20 date and time for such meeting or telephonic communication.

52 21 Plaintiff's ~~counsel~~ attorney may seek a protective order
52 22 structuring all communication by making application to the
52 23 court at any time.

52 24 Sec. 82. Section 622.10, subsection 4, Code Supplement
52 25 2007, is amended to read as follows:

52 26 4. If an adverse party desires the oral deposition, either
52 27 discovery or evidentiary, of a physician or surgeon, physician
52 28 assistant, advanced registered nurse practitioner, or mental
52 29 health professional to which the prohibition would otherwise
52 30 apply or the stenographer or confidential clerk of a physician
52 31 or surgeon, physician assistant, advanced registered nurse
52 32 practitioner, or mental health professional or desires to call
52 33 a physician or surgeon, physician assistant, advanced
52 34 registered nurse practitioner, or mental health professional
52 35 to which the prohibition would otherwise apply or the
53 1 stenographer or confidential clerk of a physician or surgeon,
53 2 physician assistant, advanced registered nurse practitioner,
53 3 or mental health professional as a witness at the trial of the
53 4 action, the adverse party shall file an application with the
53 5 court for permission to do so. The court upon hearing, which
53 6 shall not be ex parte, shall grant permission unless the court
53 7 finds that the evidence sought does not relate to the
53 8 condition alleged ~~and~~. At the request of any party or at the
53 9 request of the deponent, the court shall fix a reasonable fee

53 10 to be paid to the a physician or surgeon, physician assistant,
53 11 advanced registered nurse practitioner, or mental health
53 12 professional by the party taking the deposition or calling the
53 13 witness.

53 14 Sec. 83. Section 622.10, Code Supplement 2007, is amended
53 15 by adding the following new subsection:
53 16 NEW SUBSECTION. 4A. At any time, upon a written request
53 17 from a patient, a patient's legal representative or attorney,
53 18 or an adverse party pursuant to subsection 3, any provider
53 19 shall provide copies of the requested records or images to the
53 20 requester within thirty days of receipt of the written
53 21 request. The written request shall be accompanied by a
53 22 legally sufficient patient's waiver unless the request is made
53 23 by the patient or the patient's legal representative or
53 24 attorney.

53 25 a. The fee charged for the cost of producing the requested
53 26 records or images shall be based upon the actual cost of
53 27 production. If the written request and accompanying patient's
53 28 waiver, if required, authorizes the release of all of the
53 29 patient's records for the requested time period, including
53 30 records relating to the patient's mental health, substance
53 31 abuse, and acquired immune deficiency syndrome-related
53 32 conditions, the amount charged shall not exceed the rates
53 33 established by the workers' compensation commissioner for
53 34 copies of records in workers' compensation cases. If
53 35 requested, the provider shall include an affidavit certifying

54 1 that the records or images produced are true and accurate
 54 2 copies of the originals for an additional fee not to exceed
 54 3 ten dollars.
 54 4 b. A patient or a patient's legal representative or a
 54 5 patient's attorney is entitled to one copy free of charge of
 54 6 the patient's complete billing statement, subject only to a
 54 7 charge for the actual costs of postage or delivery charges
 54 8 incurred in providing the statement. If requested, the
 54 9 provider or custodian of the record shall include an affidavit
 54 10 certifying the billing statements produced to be true and
 54 11 accurate copies of the originals for an additional fee not to
 54 12 exceed ten dollars.
 54 13 c. Fees charged pursuant to this subsection are not
 54 14 subject to a sales or use tax. A provider providing the
 54 15 records or images may require payment in advance if an
 54 16 itemized statement demanding such is provided to the
 54 17 requesting party within fifteen days of the request. Upon a
 54 18 timely request for payment in advance, the time for providing
 54 19 the records or images shall be extended until the greater of
 54 20 thirty days from the date of the original request or ten days
 54 21 from the receipt of payment.
 54 22 d. If a provider does not provide to the requester all
 54 23 records or images encompassed by the request or does not allow
 54 24 a patient access to all of the patient's medical records
 54 25 encompassed by the patient's request to examine the patient's
 54 26 records, the provider shall give written notice to the
 54 27 requester or the patient that providing the requested records
 54 28 or images would be a violation of the federal Health Insurance
 54 29 Portability and Accountability Act of 1996, Pub. L. No.
 54 30 104=191.
 54 31 e. As used in this subsection:
 54 32 (1) "Records" and "images" include electronic media and
 54 33 data containing a patient's health or billing information and
 54 34 "copies" includes patient records or images provided in
 54 35 electronic form, regardless of the form of the originals. If
 55 1 consented to by the requesting party, records and images
 55 2 produced pursuant to this subsection may be produced on
 55 3 electronic media.
 55 4 (2) "Provider" means any physician or surgeon, physician
 55 5 assistant, advanced registered nurse practitioner, mental
 55 6 health professional, hospital, nursing home, or other person,
 55 7 entity, facility, or organization that furnishes, bills, or is
 55 8 paid for health care in the normal course of business.
 55 9 Sec. 84. 2007 Iowa Acts, chapter 206, section 6,
 55 10 unnumbered paragraph 3, is amended to read as follows:
 55 11 Notwithstanding section 8.33, moneys appropriated in this
 55 12 section that remain unencumbered or unobligated at the close
 55 13 of the fiscal year shall not revert but shall remain available
 55 14 for expenditure for the purposes designated until the close of
 55 15 the ~~succeeding~~ fiscal year beginning July 1, 2008.
 55 16 Sec. 85. REAL ESTATE EDUCATION PROGRAM. There is
 55 17 appropriated from the general fund of the state to the state
 55 18 board of regents for the fiscal year beginning July 1, 2008,
 55 19 and ending June 30, 2009, the following amount, or so much
 55 20 thereof as is necessary, to be used for the purposes
 55 21 designated:
 55 22 For allocation to the university of northern Iowa for the
 55 23 real estate education program:
 55 24 \$ 160,000
 55 25 Notwithstanding section 8.33, moneys appropriated in this
 55 26 section that remain unencumbered or unobligated at the close
 55 27 of the fiscal year shall not revert but shall remain available
 55 28 for expenditure for the purposes designated until the close of
 55 29 the succeeding fiscal year.
 55 30 Sec. 86. MEDICAL ASSISTANCE == APPROPRIATION. There is
 55 31 appropriated from the general fund of the state to the
 55 32 department of human services for the fiscal year beginning
 55 33 July 1, 2008, and ending June 30, 2009, the following amount,
 55 34 or so much thereof as is necessary, for the purpose
 55 35 designated:
 56 1 Notwithstanding the reimbursement provisions in 2008 Iowa
 56 2 Acts, Senate File 2425, if enacted, or any other provision
 56 3 requiring budget neutrality in setting hospital reimbursement
 56 4 rates, as additional funding for the medical assistance
 56 5 program to be used for the rebasing of hospital reimbursement
 56 6 rates under the medical assistance program:
 56 7 \$ 5,500,000
 56 8 Sec. 87. 2008 Iowa Acts, Senate File 2420, section 124, is
 56 9 amended by striking the section and inserting in lieu thereof
 56 10 the following:
 56 11 SEC. 124. Section 423.5, subsection 3, Code 2007, as

56 12 amended by this division of this Act, is amended to read as
56 13 follows:

56 14 3. ~~The An excise tax at the rate of five percent is~~
56 15 ~~imposed on the use of vehicles subject only to the issuance of~~
56 16 ~~a certificate of title and the use of manufactured housing,~~
56 17 ~~and on the use of leased vehicles, if the lease transaction~~
56 18 does not require titling or registration of the vehicle, on
56 19 the amount subject to tax as calculated pursuant to section
56 20 423.26, subsection 2.

56 21 Sec. 88. INDEPENDENT REDEMPTION CENTER GRANT FUND. There
56 22 is appropriated from the general fund of the state to the
56 23 department of natural resources for the fiscal year beginning
56 24 July 1, 2008, and ending June 30, 2009, the following amount,
56 25 or so much thereof as is necessary, to be used for the purpose
56 26 designated:

56 27 For deposit in the independent redemption center fund
56 28 created in section 455C.17, as enacted in this division of
56 29 this Act:

56 30 \$ 1,000,000

56 31 Sec. 89. 2008 Iowa Acts, House File 2699, section 4,
56 32 subsection 3, if enacted, is amended by adding the following
56 33 new paragraph:

56 34 NEW PARAGRAPH. e. The department of economic development
56 35 shall coordinate with the department of natural resources, the
57 1 Iowa finance authority, and the United States department of
57 2 agriculture in maximizing community development block grants
57 3 and loans available for water, wastewater, and unsewered
57 4 communities. It is the intent of the general assembly that
57 5 the department recognize and provide the appropriate level of
57 6 funding needed for wastewater and sewer projects in
57 7 communities with populations of 200 persons or less.

57 8 Sec. 90. 2008 Iowa Acts, House File 2699, section 16,
57 9 subsection 4, if enacted, is amended by striking the
57 10 subsection and inserting in lieu thereof the following:

57 11 4. STATEWIDE STANDARD SKILLS ASSESSMENT

57 12 For development and administration of a statewide standard
57 13 skills assessment to assess the employability skills of adult
57 14 workers statewide and to provide instruction to department
57 15 staff in the administration of the assessment in accordance
57 16 with section 84A.5, subsection 1, as amended by the
57 17 Eighty-second General Assembly, 2008 Session:

57 18 \$ 500,000

57 19 Sec. 91. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATION ==
57 20 TOBACCO USE PREVENTION AND TREATMENT. There is appropriated
57 21 from the healthy Iowans tobacco trust created in section 12.65
57 22 to the department of public health for the fiscal year
57 23 beginning July 1, 2008, and ending June 30, 2009, the
57 24 following amount, or so much thereof as is necessary, for the
57 25 purpose designated:

57 26 For tobacco use prevention, cessation, and treatment, in
57 27 addition to other appropriations made for this purpose:

57 28 \$ 1,000,000

57 29 Sec. 92. DEPARTMENT OF HUMAN SERVICES == SHELTER CARE.
57 30 There is appropriated from the general fund of the state to
57 31 the department of human services for the fiscal year beginning
57 32 July 1, 2008, and ending June 30, 2009, the following amount,
57 33 or so much thereof as is necessary, to be used for the
57 34 purposes designated:

57 35 For supplementing the appropriation made for child and
58 1 family services in 2008 Iowa Acts, Senate File 2425, if
58 2 enacted, to be used to increase the amount allocated in that
58 3 appropriation for shelter care to \$8,072,215:

58 4 \$ 1,000,000

58 5 Sec. 93. INTERPRETERS FOR THE DEAF. There is appropriated
58 6 from the general fund of the state to the department of
58 7 education for the fiscal year beginning July 1, 2008, and
58 8 ending June 30, 2009, the following amount, or so much thereof
58 9 as is necessary, to be used for the purpose designated:

58 10 Due to the high numbers of articulation agreements between
58 11 the state school for the deaf and Iowa western community
58 12 college, for allocation for arrangements made between the
58 13 state school for the deaf and Iowa western community college
58 14 for deaf interpreters:

58 15 \$ 200,000

58 16 Sec. 94. UNITED STATES CENTER FOR CITIZEN DIPLOMACY.

58 17 There is appropriated from the general fund of the state to
58 18 the department of economic development for the fiscal year
58 19 beginning July 1, 2008, and ending June 30, 2009, the
58 20 following amount, or so much thereof as is necessary, to be
58 21 used for the purposes designated:

58 22 For a grant to support the United States center for citizen

58 23 diplomacy:
58 24 \$ 150,000
58 25 The director of the department of economic development
58 26 shall condition the grant upon the grantee submitting all of
58 27 the following: evidence of a matching amount from
58 28 nongovernmental sources received during calendar year 2008, a
58 29 financial plan for program sustainability, evidence that the
58 30 center's principal place of business is in this state, and
58 31 agreement to submit quarterly reports demonstrating that the
58 32 center's programs are directed to assisting the citizens of
58 33 this state and beyond in promoting citizen diplomacy through
58 34 individual, educational, business, and cultural efforts. The
58 35 director shall submit the reports required under this section
59 1 to the governor and the legislative council.
59 2 Sec. 95. DEPARTMENT OF NATURAL RESOURCES. There is
59 3 appropriated from any interest or earning moneys in the
59 4 federal economic stimulus and jobs holding fund to the
59 5 department of natural resources for the fiscal year beginning
59 6 July 1, 2008, and ending June 30, 2009, the following amounts,
59 7 or so much thereof as is necessary, to be used for the
59 8 purposes designated:
59 9 For the abatement, control, and prevention of ambient air
59 10 pollution in this state, including measures as necessary to
59 11 assure attainment and maintenance of ambient air quality
59 12 standards from particulate matter:
59 13 \$ 195,000
59 14 Sec. 96. 2008 Iowa Acts, House File 2663, section 15, if
59 15 enacted, is amended by striking the section and inserting in
59 16 lieu thereof the following:
59 17 SEC. 15. Section 423E.3, subsections 1 and 4, Code 2007,
59 18 are amended by striking the subsections.
59 19 Sec. 97. DEPARTMENT OF CULTURAL AFFAIRS == BATTLE FLAG
59 20 EMPLOYEES. The department of cultural affairs is authorized
59 21 an additional 1.50 full-time equivalent positions for a
59 22 conservation assistant and a part-time historian for work
59 23 related to the stabilization and preservation of the battle
59 24 flag collection.
59 25 Sec. 98. PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,
59 26 ACCIDENT, AND DISABILITY SYSTEM == ADDITIONAL APPROPRIATION
59 27 FOR PURCHASE OF SERVICE. If section 97A.10 is amended by the
59 28 2008 Session of the Eighty-second General Assembly to provide
59 29 for the purchase of eligible service credit on and after July
59 30 1, 2008, there shall be appropriated from the general fund of
59 31 the state to the retirement fund described in section 97A.8 an
59 32 amount equal to that portion of the actuarial cost of the
59 33 permissive service credit purchase for eligible service credit
59 34 that is not required to be contributed by a member making
59 35 contributions to the system for that purchase.
60 1 Sec. 99. APPLICABILITY. The sections of this division of
60 2 this Act amending section 21.5, subsection 1, and section
60 3 22.7, do not apply to any litigation before any court of this
60 4 state filed prior to July 1, 2008.
60 5 Sec. 100. INCOME TAXATION == ACTIVE DUTY MILITARY PAY.
60 6 Notwithstanding section 422.7, subsection 40, the net income
60 7 of a member of the national guard who served from August 1,
60 8 2004, to January 31, 2006, on full-time military duty as a
60 9 mobilization augments in a rear detachment support assignment
60 10 for a national guard unit deployed pursuant to orders related
60 11 to Operation Iraqi Freedom, shall be calculated for those tax
60 12 years as provided in section 422.7 by subtracting, to the
60 13 extent included, the amount of full-time national guard duty
60 14 pay received.
60 15 Sec. 101. LOW OR MODERATE NET WORTH == DESIGNATED AMOUNT
60 16 ESTABLISHED. For the period beginning July 1, 2008, and
60 17 ending December 31, 2008, the designated amount used to
60 18 determine a person's aggregate net worth as provided in
60 19 section 175.2, subsection 1, as amended in this division of
60 20 this Act, is five hundred thousand dollars.
60 21 Sec. 102. CHARTER AGENCY GRANT FUND. Notwithstanding
60 22 sections 7J.2 and 8.33 or any other provision of law, moneys
60 23 appropriated to the department of management from the charter
60 24 agency grant fund that remain unencumbered or unobligated at
60 25 the close of the fiscal year beginning July 1, 2007, shall not
60 26 revert but shall remain available for expenditure for the
60 27 purposes designated in section 7J.2, Code 2007, until the
60 28 close of the succeeding fiscal year. At the close of the
60 29 succeeding fiscal year, such moneys that remain unencumbered
60 30 or unobligated shall revert to the general fund of the state.
60 31 Sec. 103. EFFECTIVE DATE. The section of this division of
60 32 this Act amending 2007 Iowa Acts, chapter 206, section 6,
60 33 being deemed of immediate importance, takes effect upon

60 34 enactment.

60 35 Sec. 104. EFFECTIVE DATE. The section of this division of
61 1 this Act addressing sections 7J.2 and 8.33 and the charter
61 2 agency grant fund, being deemed of immediate importance, takes
61 3 effect upon enactment.

61 4 Sec. 105. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.
61 5 The section of this division of this Act relating to the
61 6 computation of net income for individual income tax purposes
61 7 of a member of the national guard who served on full-time
61 8 military duty as a mobilization augments in a rear detachment
61 9 support assignment for a national guard unit deployed pursuant
61 10 to orders related to Operation Iraqi Freedom, being deemed of
61 11 immediate importance, takes effect upon enactment, and applies
61 12 retroactively to January 1, 2004, for tax years beginning on
61 13 or after that date but before January 1, 2007.

61 14 Sec. 106. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.
61 15 The sections of this division of this Act amending section
61 16 35A.8, being deemed of immediate importance, take effect upon
61 17 enactment and are retroactively applicable to July 1, 2007,
61 18 and are applicable on and after that date.

61 19 Sec. 107. RETROACTIVE APPLICABILITY DATE. The sections of
61 20 this division of this Act enacting section 422.11V and section
61 21 422.33, subsection 25, apply retroactively to January 1, 2008,
61 22 for tax years beginning on or after that date.

61 23 DIVISION V

61 24 STATE AID FOR SCHOOLS == ENROLLMENT

61 25 Sec. 108. Section 257.6, subsection 1, paragraph a,
61 26 subparagraph (5), Code Supplement 2007, is amended to read as
61 27 follows:

61 28 (5) Resident pupils receiving competent private
61 29 instruction from a licensed practitioner provided through a
61 30 public school district pursuant to chapter 299A shall be
61 31 counted as ~~six-tenths~~ three-tenths of one pupil. School
61 32 districts shall not spend less than the amount expended for
61 33 the delivery of home school assistance programming during the
61 34 fiscal year beginning July 1, 2007, unless there is a decline
61 35 in enrollment in the program. If a school district offered a
62 1 home school assistance program in the fiscal year beginning
62 2 July 1, 2007, it shall continue to offer a home school
62 3 assistance program in the fiscal year beginning July 1, 2008,
62 4 and subsequent fiscal years. If the school district
62 5 determines that the expenditures associated with providing
62 6 competent private instruction pursuant to chapter 299A is in
62 7 excess of the revenue attributed to the school district's
62 8 weighted enrollment for such instruction in accordance with
62 9 this subparagraph, the school district may submit a request to
62 10 the school budget review committee for modified allowable
62 11 growth in accordance with section 257.31, subsection 5,
62 12 paragraph "n". A home school assistance program shall not
62 13 provide moneys received pursuant to this subparagraph, nor
62 14 resources paid for with moneys received pursuant to this
62 15 subparagraph, to parents or students utilizing the program.

62 16 Sec. 109. Section 257.11, subsection 5, Code Supplement
62 17 2007, is amended by adding the following new paragraph:
62 18 NEW PARAGRAPH. n. Unusual need for additional funds for
62 19 the costs associated with providing competent private
62 20 instruction pursuant to chapter 299A.

62 21 Sec. 110. Section 299.4, Code Supplement 2007, is amended
62 22 to read as follows:

62 23 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

62 24 1. The parent, guardian, or legal custodian of a child who
62 25 is of compulsory attendance age, who places the child under
62 26 competent private instruction under either section 299A.2 or
62 27 299A.3, not in an accredited school or a home school
62 28 assistance program operated by a public school district or
62 29 accredited nonpublic school, shall furnish a report in
62 30 duplicate on forms provided by the public school district, to
62 31 the district by the earliest starting date specified in
62 32 section 279.10, subsection 1. The secretary shall retain and
62 33 file one copy and forward the other copy to the district's
62 34 area education agency. The report shall state the name and
62 35 age of the child, the period of time during which the child
63 1 has been or will be under competent private instruction for
63 2 the year, an outline of the course of study, texts used, and
63 3 the name and address of the instructor. The parent, guardian,
63 4 or legal custodian of a child, who is placing the child under
63 5 competent private instruction for the first time, shall also
63 6 provide the district with evidence that the child has had the
63 7 immunizations required under section 139A.8, and, if the child
63 8 is elementary school age, a blood lead test in accordance with
63 9 section 135.105D. The term "outline of course of study" shall

63 10 include subjects covered, lesson plans, and time spent on the
63 11 areas of study.

63 12 2. A home school assistance program operated by a school
63 13 district or accredited nonpublic school shall furnish a report
63 14 on forms provided by the department. The report shall, at a
63 15 minimum, state the name and age of the child and the period of
63 16 time during the school year in which the child has been or
63 17 will be under competent private instruction by the home school
63 18 assistance program.

63 19 Sec. 111. WEIGHTED ENROLLMENT. There is appropriated from
63 20 the general fund of the state to the department of education
63 21 for the fiscal year beginning July 1, 2008, and ending June
63 22 30, 2009, the following amount, or so much thereof as is
63 23 necessary, to be used for the purposes designated:

63 24 For one-time distribution to those school districts
63 25 determined by the department to have expenditures associated
63 26 with providing competent private instruction pursuant to
63 27 chapter 299A in excess of the revenue attributed to the school
63 28 district's weighted enrollment for such instruction in
63 29 accordance with section 257.6, subsection 1, paragraph "a",
63 30 subparagraph (5), as amended by this Act:

63 31 \$ 146,000

63 32 Sec. 112. BUDGET ADJUSTMENT. For the budget year
63 33 beginning July 1, 2008, and ending June 30, 2009, any
63 34 adjustment in the school district's budget resulting from the
63 35 amendment to section 257.6 in this division of this Act shall
64 1 be addressed as provided in section 257.6, subsection 1,
64 2 paragraph "d" based upon the amendment made to section 257.6,
64 3 subsection 1, paragraph a, subparagraph (5), and with the
64 4 budget adjustment being made in the fiscal year beginning July
64 5 1, 2008.

64 6 Sec. 113. EFFECTIVE DATE. The section of this division of
64 7 this Act amending section 257.6, being deemed of immediate
64 8 importance, takes effect upon enactment.

64 9 DIVISION VI
64 10 CAMPAIGN FINANCE

64 11 Sec. 114. Section 53.10, unnumbered paragraph 3, Code
64 12 Supplement 2007, is amended to read as follows:

64 13 During the hours when absentee ballots are available in the
64 14 office of the commissioner, ~~the posting of political signs is~~
64 15 ~~prohibited within three hundred feet of the absentee voting~~
64 16 ~~site. No electioneering shall not be allowed within the sight~~
64 17 or hearing of voters at the absentee voting site.

64 18 Sec. 115. Section 53.11, subsection 4, Code Supplement
64 19 2007, is amended to read as follows:

64 20 4. During the hours when absentee ballots are available at
64 21 a satellite absentee voting station, ~~the posting of political~~
64 22 ~~signs is prohibited within three hundred feet of the satellite~~
64 23 ~~absentee voting station. Electioneering electioneering shall~~
64 24 not be allowed within the sight or hearing of voters at the
64 25 satellite absentee voting station.

64 26 Sec. 116. Section 68A.404, subsection 1, Code 2007, is
64 27 amended to read as follows:

64 28 1. As used in this section, "independent expenditure"
64 29 means one or more expenditures in excess of ~~seven hundred~~
64 30 ~~fifty one hundred~~ dollars in the aggregate for a communication
64 31 that expressly advocates the nomination, election, or defeat
64 32 of a clearly identified candidate or the passage or defeat of
64 33 a ballot issue that is made without the prior approval or
64 34 coordination with a candidate, candidate's committee, or a
64 35 ballot issue committee.

65 1 Sec. 117. Section 68A.404, subsection 3, paragraph a, Code
65 2 2007, is amended to read as follows:

65 3 a. An independent expenditure statement shall be filed
65 4 within forty-eight hours of the making of an independent
65 5 expenditure in excess of ~~seven hundred fifty one hundred~~
65 6 dollars in the aggregate.

65 7 Sec. 118. Section 68A.406, Code Supplement 2007, is
65 8 amended to read as follows:

65 9 68A.406 CAMPAIGN SIGNS == YARD SIGNS.

65 10 1. Campaign signs may be placed with the permission of the
65 11 property owner or lessee on any of the following:

65 12 a. Residential property.

65 13 b. Agricultural land owned by individuals or by a family
65 14 farm operation as defined in section 9H.1, subsections 8, 9,
65 15 and 10.

65 16 c. Property leased for residential purposes including, but
65 17 not limited to, apartments, condominiums, college housing
65 18 facilities, and houses if placed only on leased property space
65 19 that is actually occupied.

65 20 d. Vacant lots owned by a ~~private individual~~ person who is

65 21 not a prohibited contributor under section 68A.503.

65 22 e. Property owned by an organization that is not a
65 23 prohibited contributor under section 68A.503.

65 24 f. Property leased by a candidate, committee, or an
65 25 organization established to advocate the nomination, election,
65 26 or defeat of a candidate or the passage or defeat of a ballot
65 27 issue that has not yet registered pursuant to section 68A.201,
65 28 when the property is used as campaign headquarters or a
65 29 campaign office and the placement of the sign is limited to
65 30 the space that is actually leased.

65 31 2. a. Campaign signs shall not be placed on any of the
65 32 following:

65 33 a- (1) Any property owned by the state or the governing
65 34 body of a county, city, or other political subdivision of the
65 35 state, including all property considered the public
66 1 right-of-way. Upon a determination by the board that a sign
66 2 has been improperly placed, the sign shall be removed by
66 3 highway authorities as provided in section 318.5, or by county
66 4 or city law enforcement authorities in a manner consistent
66 5 with section 318.5.

66 6 b- (2) Property owned, leased, or occupied by a
66 7 prohibited contributor under section 68A.503 unless the sign
66 8 advocates the passage or defeat of a ballot issue or is
66 9 exempted under subsection 1.

66 10 c- (3) On any property without the permission of the
66 11 property owner or lessee.

66 12 d- (4) On election day either on the premises of any
66 13 polling place or within three hundred feet of any outside door
66 14 of any building affording access to any room where the polls
66 15 are held, or of any outside door of any building affording
66 16 access to any hallway, corridor, stairway, or other means of
66 17 reaching the room where the polls are held.

66 18 e- (5) Within On the premises of or within three hundred
66 19 feet of any outside door of any building affording access to
66 20 an absentee voting site during the hours when absentee ballots
66 21 are available in the office of the county commissioner of
66 22 elections as provided in section 53.10.

66 23 f- (6) Within On the premises of or within three hundred
66 24 feet of any outside door of any building affording access to a
66 25 satellite absentee voting station during the hours when
66 26 absentee ballots are available at the satellite absentee
66 27 voting station as provided in section 53.11.

66 28 b. Paragraphs "d", "e", and "f" Paragraph "a".

66 29 subparagraphs (4), (5), and (6) shall not apply to the posting
66 30 of signs on private property not a polling place, except that
66 31 the placement of a sign on a motor vehicle, trailer, or
66 32 semitrailer, or any attachment to a motor vehicle, trailer, or
66 33 semitrailer parked on public property within three hundred
66 34 feet of any outside door of any building affording access to
66 35 any room serving as a polling place, which sign is more than

67 1 ninety square inches in size, is prohibited.

67 2 3. Campaign signs with dimensions of thirty-two square
67 3 feet or less are exempt from the attribution statement
67 4 requirement in section 68A.405. Campaign signs in excess of
67 5 thirty-two square feet, or signs that are affixed to buildings
67 6 or vehicles regardless of size except for bumper stickers, are
67 7 required to include the attribution statement required by
67 8 section 68A.405. The placement or erection of campaign signs
67 9 shall be exempt from the requirements of chapter 480 relating
67 10 to underground facilities information.

67 11 DIVISION VII

67 12 CORRECTIVE PROVISIONS

67 13 Sec. 119. Section 15.104, subsection 9, paragraph a, if
67 14 enacted by 2008 Iowa Acts, House File 2450, section 6, is
67 15 amended to read as follows:

67 16 a. FINANCIAL ASSISTANCE PROGRAMS. Data on all assistance
67 17 provided to business finance projects under the community
67 18 economic betterment program established in section 15.317,
67 19 eligible businesses under the high quality job creation
67 20 program described in section 15.326, and eligible facilities
67 21 under the value-added agricultural products and processes

67 22 financial assistance program established in section 15E.111.

67 23 Sec. 120. Section 20.9, subsection 1, paragraph n, if
67 24 enacted by 2008 Iowa Acts, House File 2645, is amended to read
67 25 as follows:

67 26 n. Evaluation procedures, including the frequency of
67 27 evaluations, the method of evaluation, evaluation forms and
67 28 other evaluation instruments, evaluation criteria, the
67 29 purposes for and use of evaluations, and remedial and employee
67 30 performance performance improvement plans and procedures.

67 31 Sec. 121. Section 87.4, unnumbered paragraph 2, Code 2007,

67 32 as amended by 2008 Iowa Acts, Senate File 2337, section 1, if
67 33 enacted, is amended to read as follows:

67 34 A self-insurance association formed under this section and
67 35 an association comprised of cities or counties, or both, or
68 1 the association of ~~county~~ Iowa fairs or a fair as defined in
68 2 section 174.1, or community colleges as defined in section
68 3 260C.2 or school corporations, or both, or other political
68 4 subdivisions, which have entered into an agreement under
68 5 chapter 28E for the purpose of establishing a self-insured
68 6 program for the payment of workers' compensation benefits are
68 7 exempt from taxation under section 432.1.

68 8 Sec. 122. Section 87.4, unnumbered paragraph 4, Code 2007,
68 9 as amended by 2008 Iowa Acts, Senate File 2337, section 1, if
68 10 enacted, is amended to read as follows:

68 11 A self-insured program for the payment of workers'
68 12 compensation benefits established by an association comprised
68 13 of cities or counties, or both, or the association of ~~county~~
68 14 Iowa fairs or a fair as defined in section 174.1, or community
68 15 colleges, as defined in section 260C.2, or other political
68 16 subdivisions, which have entered into an agreement under
68 17 chapter 28E, is not insurance, and is not subject to
68 18 regulation under chapters 505 through 523C. Membership in
68 19 such an association together with payment of premiums due
68 20 relieves the member from obtaining insurance as required in
68 21 section 87.1. Such an association is not required to submit
68 22 its plan or program to the commissioner of insurance for
68 23 review and approval prior to its implementation and is not
68 24 subject to rules or rates adopted by the commissioner relating
68 25 to workers' compensation group self-insurance programs. Such
68 26 a program is deemed to be in compliance with this chapter.

68 27 Sec. 123. Section 100C.6, subsection 3, as enacted by 2008
68 28 Iowa Acts, House File 2646, section 1, is amended to read as
68 29 follows:

68 30 3. Relieve any person engaged in fire sprinkler
68 31 installation, maintenance, repair, service, or inspection as
68 32 defined in section 100D.1 from obtaining a fire sprinkler
68 33 installer ~~or fire sprinkler~~ and maintenance worker license as
68 34 required pursuant to chapter 100D.

68 35 Sec. 124. Section 144C.3, subsection 4, as enacted by 2008
69 1 Iowa Acts, Senate File 473, section 8, is amended to read as
69 2 follows:

69 3 4. A funeral director, an attorney, or any agent, owner,
69 4 or employee of a funeral establishment, cremation
69 5 establishment, cemetery, elder group home, assisted living
69 6 program facility, adult day services program, or licensed
69 7 hospice program, ~~or attorney, or any agent, owner, or employee~~
69 8 ~~of such an entity,~~ shall not serve as a designee unless
69 9 related to the declarant within the third degree of
69 10 consanguinity.

69 11 Sec. 125. Section 261.7, subsections 2 and 3, if enacted
69 12 by 2008 Iowa Acts, House File 2197, section 1, are amended to
69 13 read as follows:

69 14 2. The general assembly recommends that every public and
69 15 private institution ~~for of~~ higher education in this state,
69 16 including those institutions referenced in chapters 260C and
69 17 262 and section 261.9, post the list of required and suggested
69 18 textbooks for all courses and the corresponding international
69 19 standard book numbers for such textbooks at least fourteen
69 20 days before the start of each semester or term, to the extent
69 21 possible, at the locations where textbooks are sold on campus
69 22 and on the web site for the respective institution ~~for of~~
69 23 higher education.

69 24 3. The college student aid commission is directed to
69 25 convey the legislative intent and recommendation contained in
69 26 this section to every institution ~~for of~~ higher education in
69 27 the state registered pursuant to chapter 261B at least once a
69 28 year.

69 29 Sec. 126. Section 279.15A, subsection 2, if enacted by
69 30 2008 Iowa Acts, House File 2645, is amended to read as
69 31 follows:

69 32 2. If the teacher requests a private meeting, the board
69 33 shall, within five days of the receipt of the request, deliver
69 34 to the teacher, in writing, notice of declination to meet with
69 35 the teacher, or notice of a time and place for the meeting
70 1 with the board which meeting shall be exempt from the
70 2 requirements of chapter 21. If the board declines to meet
70 3 with the teacher, the parties shall immediately proceed under
70 4 section 279.16. The private meeting, if agreed to by the
70 5 board, shall be held no later than fifteen days from receipt
70 6 of the request for the private meeting. At the meeting, the
70 7 superintendent shall have the opportunity to discuss with the

70 8 board the reasons for the issuance of the notice. The
70 9 teacher, or the teacher's representative, shall be given an
70 10 opportunity to respond. At the conclusion of the meeting, the
70 11 board of directors and the teacher may enter into a mutually
70 12 agreeable resolution to the recommendation of termination. If
70 13 no resolution is reached by the parties, the board shall
70 14 immediately meet in open session, and, by majority roll call
70 15 vote, either reject or support the superintendent's
70 16 recommendation. If the recommendation is rejected, the
70 17 teacher's continuing contract shall remain in force and
70 18 effect. If the recommendation is supported, the parties shall
70 19 immediately proceed under section 279.16.

70 20 Sec. 127. Section 321.23, subsection 3, Code 2007, as
70 21 amended by 2008 Iowa Acts, Senate File 2420, section 53, is
70 22 amended to read as follows:

70 23 3. In the event an applicant for registration of a foreign
70 24 vehicle for which a certificate of title has been issued is
70 25 able to furnish evidence of being the registered owner of the
70 26 vehicle to the county treasurer of the owner's residence,
70 27 although unable to surrender such certificate of title, the
70 28 county treasurer may issue a registration receipt and plates
70 29 upon receipt of the required annual registration fee and the
70 30 fee for new registration ~~fee~~ but shall not issue a certificate
70 31 of title thereto. Upon surrender of the certificate of title
70 32 from the foreign state, the county treasurer shall issue a
70 33 certificate of title to the owner, or person entitled thereto,
70 34 of such vehicle as provided in this chapter. The owner of a
70 35 vehicle registered under this subsection shall not be required
71 1 to obtain a certificate of title in this state and may
71 2 transfer ownership of the vehicle to a motor vehicle dealer
71 3 licensed under chapter 322 if, at the time of the transfer,
71 4 the certificate of title is held by a secured party and the
71 5 dealer has forwarded to the secured party the sum necessary to
71 6 discharge the security interest pursuant to section 321.48,
71 7 subsection 1.

71 8 Sec. 128. Section 321.105A, subsection 2, paragraph c,
71 9 subparagraph (27), as enacted by 2008 Iowa Acts, Senate File
71 10 2420, section 40, is amended to read as follows:

71 11 (27) A vehicle repossessed by a financial institution or
71 12 an individual by means of a foreclosure affidavit pursuant to
71 13 the uniform commercial code, chapter 554, provided there is a
71 14 valid lien on the vehicle and the foreclosure affidavit is
71 15 used for the sole purpose of retaining possession of the
71 16 vehicle until a new buyer is found. However, if the financial
71 17 institution or individual uses the foreclosure affidavit to
71 18 take title to the vehicle and register the vehicle, the fee
71 19 for new registration ~~fee~~ shall be due based on the outstanding
71 20 loan amount on the vehicle.

71 21 Sec. 129. Section 476.44A, if enacted by 2008 Iowa Acts,
71 22 Senate File 2386, section 6, is amended to read as follows:

71 23 476.44A TRADING OF CREDITS.

71 24 The board may establish or participate in a program to
71 25 track, record, and verify the trading of credits ~~for or~~
71 26 attributes relating to electricity generated from alternative

71 27 energy production facilities or renewable energy sources among
71 28 electric generators, utilities, and other interested entities,
71 29 within this state and with similar entities in other states.

71 30 Sec. 130. Section 508E.8, subsection 1, paragraphs i and
71 31 k, if enacted by 2008 Iowa Acts, Senate File 2392, section 8,
71 32 are amended to read as follows:

71 33 i. Disclosure to a viator shall include distribution of a
71 34 brochure describing the process of viatical settlements. The
71 35 national association of insurance commissioners form for the
72 1 brochure shall be used unless another form is developed ~~or~~ and
72 2 approved by the commissioner.

72 3 k. Following execution of a viatical contract, the insured
72 4 may be contacted for the purpose of determining the insured's
72 5 health status and to confirm the insured's residential or
72 6 business street address and telephone number, or as otherwise
72 7 provided in this chapter. This contact shall be limited to
72 8 once every three months if the insured has a life expectancy
72 9 of more than one year, and no more than once per month if the
72 10 insured has a life expectancy of one year or less. All such
72 11 ~~contracts~~ contacts shall be made only by a duly licensed
72 12 viatical settlement provider or by the authorized
72 13 representative of a duly licensed viatical settlement
72 14 provider.

72 15 Sec. 131. Section 633A.2301, Code 2007, as amended by 2008
72 16 Iowa Acts, Senate File 2350, section 21, if enacted, is
72 17 amended to read as follows:

72 18 633A.2301 RIGHTS OF BENEFICIARY, CREDITOR, AND ASSIGNEE.

72 19 To the extent a beneficiary's interest is not subject to a
72 20 spendthrift provision, and subject to sections 633A.2305 and
72 21 ~~633.2306~~ 633A.2306, the court may authorize a creditor or
72 22 assignee of the beneficiary to reach the beneficiary's
72 23 interest by levy, attachment, or execution of present or
72 24 future distributions to or for the benefit of the beneficiary
72 25 or other means.

72 26 Sec. 132. Section 670.7, subsection 4, if enacted by 2008
72 27 Iowa Acts, Senate File 2337, section 3, is amended to read as
72 28 follows:

72 29 4. The association of ~~county Iowa~~ fairs or a fair as
72 30 defined in section 174.1, ~~or a fair~~, shall be deemed to be a
72 31 municipality as defined in this chapter only for the purpose
72 32 of joining a local government risk pool as provided in this
72 33 section.

72 34 Sec. 133. Section 714E.2, subsection 2, if enacted by 2008
72 35 Iowa Acts, House File 2653, section 2, is amended to read as
73 1 follows:

73 2 2. The following notice, printed in at least fourteen
73 3 point boldface type and completed with the name of the
73 4 foreclosure consultant, must be printed immediately above the
73 5 notice of cancellation statement required pursuant to section
73 6 714E.3:

73 7 NOTICE REQUIRED BY IOWA LAW

73 8 (name) or anyone working for

73 9 ~~him or her~~ (name) CANNOT:

73 10 (1) Take any money from you or ask you for money until
73 11 (name) has completely finished
73 12 doing everything ~~he or she~~ (name) said
73 13 ~~he or she~~ (name) would do; and

73 14 (2) Ask you to sign or have you sign any lien, mortgage,
73 15 or real estate contract.

73 16 Sec. 134. 2008 Iowa Acts, House File 2103, section 1, is
73 17 amended by striking the section and inserting in lieu thereof
73 18 the following:

73 19 SECTION 1. Section 261.1, subsections 3 and 4, Code 2007,
73 20 are amended to read as follows:

73 21 3. ~~a. A member~~ Two members of the senate, one to be
73 22 appointed by the president of the senate, ~~after consultation~~
73 23 ~~with the majority leader and one to be appointed by the~~
73 24 ~~minority leader of the senate, to serve as an ex officio,~~
73 25 ~~nonvoting member for a term of four years beginning on July 1~~
73 26 ~~of the year of appointment members.~~

73 27 ~~4. b. A member~~ Two members of the house of
73 28 representatives, one to be appointed by the speaker of the
73 29 house of representatives and one to be appointed by the
73 30 ~~minority leader of the house of representatives, to serve as~~
73 31 ~~an ex officio, nonvoting member for a term of four years~~
73 32 ~~beginning on July 1 of the year of appointment members.~~

73 33 c. The members of the senate and house of representatives
73 34 shall serve at the pleasure of the appointing legislator for a
73 35 term beginning upon the convening of the general assembly and
74 1 expiring upon the convening of the following general assembly,
74 2 or when the appointee's successor is appointed, whichever
74 3 occurs later.

74 4 Sec. 135. 2008 Iowa Acts, House File 2555, section 18, is
74 5 amended by striking the section and inserting in lieu thereof
74 6 the following:

74 7 SEC. 18. NEW SECTION. 508E.20 PUBLIC RECORDS.

74 8 All information filed with the commissioner pursuant to the
74 9 requirements of this chapter and its implementing rules shall
74 10 constitute a public record that is open for public inspection
74 11 except as otherwise provided in this chapter.

74 12 Sec. 136. 2008 Iowa Acts, House File 2651, section 40, if
74 13 enacted, is amended to read as follows:

74 14 SEC. 40. EFFECTIVE DATE DATES.

74 15 1. The sections of this Act amending sections 321E.8,
74 16 321E.9, 321E.14, and 322.7A, the section enacting section
74 17 321E.9B, and the section repealing 2007 Iowa Acts, chapter
74 18 167, being deemed of immediate importance, take effect upon
74 19 enactment.

74 20 2. The section of this Act amending section 321.115,
74 21 subsection 1, as enacted in 2007 Iowa Acts, chapter 143,
74 22 section 12, takes effect January 1, 2009.

74 23 Sec. 137. 2008 Iowa Acts, House File 2689, section 35, if
74 24 enacted, is amended by striking the section and inserting in
74 25 lieu thereof the following:

74 26 SEC. 35. EFFECTIVE DATE. This division of this Act takes
74 27 effect January 1, 2009.

74 28 Sec. 138. 2008 Iowa Acts, Senate File 2316, section 10, is
74 29 amended to read as follows:

74 30 SEC. 10. Sections 540A.1, 540A.2, 540A.3, 540A.4, 540A.5,
74 31 540A.6, 540A.7, 540A.8, and 540A.9, Code 2007, are repealed.
74 32 Sec. 139. 2008 Iowa Acts, Senate File 2347, section 9, is
74 33 amended to read as follows:
74 34 SEC. 9. EMERGENCY RULES. The secretary of state may adopt
74 35 emergency rules under section ~~17A.1~~ 17A.4, subsection 2, and
75 1 section 17A.5, subsection 2, paragraph "b", to implement the
75 2 provisions of this Act relating to optical scan voting
75 3 systems, and the rules shall be effective immediately upon
75 4 filing unless a later date is specified in the rules. Any
75 5 rules adopted in accordance with this section shall also be
75 6 published as a notice of intended action as provided in
75 7 section 17A.4.
75 8 Sec. 140. 2008 Iowa Acts, Senate File 2349, section 8, is
75 9 amended by striking the section and inserting in lieu thereof
75 10 the following:
75 11 SEC. 8. Section 523A.601, subsection 6, paragraph a, Code
75 12 Supplement 2007, is amended to read as follows:
75 13 a. A purchase agreement that is funded by a trust shall
75 14 include a conspicuous statement in language substantially
75 15 similar to the following language:
75 16 "For your prearranged funeral agreement, we will deposit
75 17 not less than eighty percent of your payments in trust at
75 18 (name of financial institution), (street address), (city),
75 19 (state) (zip code) within fifteen days following receipt of
75 20 the funds. For your protection, you ~~have the right to contact~~
75 21 will be notified within sixty days from the date of deposit
75 22 from the financial institution directly, if acting as a
75 23 trustee of trust funds under this chapter, to confirm that the
75 24 deposit of these funds ~~occurred~~ has been made establishing a
75 25 trust fund as required by law. If you ~~are unable to confirm~~
75 26 the deposit of these funds in trust do not receive this
75 27 notification, you may contact the Iowa insurance division for
75 28 assistance by calling the insurance division at (telephone
75 29 number) or by mail at (street address), (city), Iowa (zip
75 30 code), or you may contact the financial institution by calling
75 31 the financial institution at (telephone number) or by mail at
75 32 the address indicated above."
75 33 Sec. 141. 2008 Iowa Acts, Senate File 2432, section 1,
75 34 subsection 5, paragraph c, if enacted, is amended to read as
75 35 follows:
76 1 c. For equal distribution to regional sports authority
76 2 districts certified by the department pursuant to section
76 3 ~~15E.321, notwithstanding section 8.57, subsection 6, paragraph~~
76 4 ~~"c":~~
76 5 \$ 500,000
76 6 Sec. 142. 2008 Iowa Acts, Senate File 2432, section 1,
76 7 subsection 9, paragraph a, if enacted, is amended to read as
76 8 follows:
76 9 a. For purposes of supporting a water trails development
76 10 program and a lowhead dam public hazard improvement program,
76 11 notwithstanding section 8.57, subsection 6, paragraph "c":
76 12 \$ 1,000,000
76 13 The department shall award grants to dam owners including
76 14 counties, cities, state agencies, cooperatives, and
76 15 individuals, to support projects approved by the department.
76 16 The department shall require each dam owner applying for a
76 17 project grant to submit a project plan for the expenditure of
76 18 the moneys, and file a report with the department regarding
76 19 the project, as required by the department.
76 20 The funds can be used for signs, posts, and related
76 21 cabling, and the department shall only award money on a
76 22 matching basis, pursuant to the dam owner contributing at
76 23 least 20 cents for every 80 cents awarded by the department,
76 24 in order to finance the project. For the remainder of the
76 25 funds, including any balance of money not awarded for signs,
76 26 posts, and related cabling, the department shall only award
76 27 ~~moneys to a dam owner on a matching basis. A dam owner shall~~
76 28 ~~contribute one dollar for each dollar awarded by the~~
76 29 ~~department in order to finance a project~~ moneys for the water
76 30 trails development program or to the lowhead dam public hazard
76 31 improvement program on a matching basis according to
76 32 departmental rules.
76 33 DIVISION VIII
76 34 ANIMAL AGRICULTURE
76 35 Sec. 143. Section 459.102, subsection 4, Code 2007, is
77 1 amended to read as follows:
77 2 4. "Animal feeding operation" means a lot, yard, corral,
77 3 building, or other area in which animals are confined and fed
77 4 and maintained for forty=five days or more in any twelve=month
77 5 period, and all structures used for the storage of manure from

77 6 animals in the operation. ~~An Except as required for a~~
77 7 ~~national pollutant discharge elimination system permit~~
77 8 ~~required pursuant to the federal Water Pollution Control Act,~~
77 9 ~~33 U.S.C. ch. 26, as amended, an animal feeding operation does~~
77 10 not include a livestock market.
77 11 Sec. 144. Section 459A.103, subsection 3, Code 2007, is
77 12 amended to read as follows:
77 13 3. a. In calculating the animal unit capacity of an open
77 14 feedlot operation, the animal unit capacity shall not include
77 15 the animal unit capacity of any confinement feeding operation
77 16 building as defined in section 459.102, which is part of the
77 17 open feedlot operation.
77 18 b. ~~Notwithstanding paragraph "a", only for purposes of~~
77 19 ~~determining whether an open feedlot operation must obtain an~~
77 20 ~~operating permit, the animal unit capacity of the animal~~
77 21 ~~feeding operation includes the animal unit capacities of both~~
77 22 ~~the open feedlot operation and the confinement feeding~~
77 23 ~~operation if the animals in the open feedlot operation and the~~
77 24 ~~confinement feeding operation are all in the same category or~~
77 25 ~~type of animals as used in the definitions of large and medium~~
77 26 ~~concentrated animal feeding operations in 40 C.F.R. pt. 122.~~
77 27 ~~In all other respects the confinement feeding operation shall~~
77 28 ~~be governed by chapter 459 and the open feedlot operation~~
77 29 ~~shall be governed by this chapter.~~
77 30 Sec. 145. Section 459A.401, subsection 2, paragraph a,
77 31 unnumbered paragraph 1, Code Supplement 2007, is amended to
77 32 read as follows:
77 33 An open feedlot operation in compliance with the inspection
77 34 and recordkeeping requirements of 40 C.F.R. pt. 122 and 40
77 35 C.F.R. pt. 412 applicable to the operation may discharge open
78 1 feedlot effluent into any waters of the United States due to a
78 2 precipitation event, if any of the following apply:
78 3 Sec. 146. COMPLIANCE EDUCATION EFFORT. The department of
78 4 natural resources shall provide for a compliance education
78 5 effort. In administering the effort, the department, in
78 6 cooperation with associations that represent livestock
78 7 producers and organizations that represent farmers generally,
78 8 shall provide information on a statewide basis to persons
78 9 involved with maintaining animals in a confinement feeding
78 10 operation or open feedlot operation regarding methods and
78 11 practices to ensure compliance with this Act.
78 12 Sec. 147. APPLICABILITY AND ENFORCEMENT.
78 13 1. A person required to obtain an operating permit for an
78 14 animal feeding operation by the department of natural
78 15 resources pursuant to 567 IAC ch. 65, and section 459.102,
78 16 subsection 4, as amended by this division of this Act, or
78 17 section 459A.103, subsection 3, as amended by this division of
78 18 this Act, shall submit an application for the operating permit
78 19 to the department of natural resources on or before December
78 20 31, 2008. The application for the operating permit must be
78 21 complete, including all information required to be included in
78 22 the application according to rules adopted by the department.
78 23 2. a. The state shall not take an enforcement action
78 24 against a person arising from the person's failure to obtain
78 25 an operating permit by the department of natural resources as
78 26 required pursuant to this division of this Act if the person's
78 27 application for the operating permit application is pending in
78 28 accordance with subsection 1.
78 29 b. The state shall not take an enforcement action against
78 30 a person arising from the person's failure to obtain an
78 31 operating permit as required pursuant to this division of this
78 32 Act for the period beginning on the day when the department of
78 33 natural resources denies the person's application for the
78 34 operation permit and ending on the thirtieth day after the
78 35 person receives written notice that such application has been
79 1 denied.
79 2 Sec. 148. EFFECTIVE DATE.
79 3 1. Except as provided in subsection 2, this division of
79 4 this Act takes effect on December 31, 2008.
79 5 2. The section of this division of this Act establishing a
79 6 compliance education effort takes effect upon enactment.
79 7 DIVISION IX
79 8 RETIREMENT FOR SENIOR JUDGES
79 9 Sec. 149. Section 602.9202, Code 2007, is amended by
79 10 adding the following new subsection:
79 11 NEW SUBSECTION. 3A. "Senior judge retirement age" means
79 12 seventy=eight years of age or, if the senior judge is
79 13 reappointed as a senior judge for an additional two=year term
79 14 upon attaining seventy=eight years of age pursuant to section
79 15 602.9203, eighty years of age.
79 16 Sec. 150. Section 602.9203, subsection 5, Code 2007, is

79 17 amended to read as follows:

79 18 5. a. A senior judge may be reappointed to additional
79 19 two-year terms, at the discretion of the supreme court, if the
79 20 judicial officer meets the requirements of subsection 2.

79 21 b. ~~A senior judge may be reappointed to an additional~~
79 22 ~~two-year term upon attaining seventy-eight years of age, at~~
79 23 ~~the discretion of the supreme court, if the judicial officer~~
79 24 ~~meets the requirements of subsection 2.~~

79 25 Sec. 151. Section 602.9204, subsection 1, Code 2007, is
79 26 amended to read as follows:

79 27 1. A judge who retires on or after July 1, 1994, and who
79 28 is appointed a senior judge under section 602.9203 shall be
79 29 paid a salary as determined by the general assembly. A senior
79 30 judge or retired senior judge shall be paid an annuity under
79 31 the judicial retirement system in the manner provided in
79 32 section 602.9109, but computed under this section in lieu of
79 33 section 602.9107, as follows: The annuity paid to a senior
79 34 judge or retired senior judge shall be an amount equal to the
79 35 applicable percentage multiplier of the basic senior judge
80 1 salary, multiplied by the judge's years of service prior to
80 2 retirement as a judge of one or more of the courts included
80 3 under this article, for which contributions were made to the
80 4 system, except the annuity of the senior judge or retired
80 5 senior judge shall not exceed an amount equal to the
80 6 applicable specified percentage of the basic senior judge
80 7 salary used in calculating the annuity. However, following
80 8 the twelve-month period during which the senior judge or
80 9 retired senior judge attains ~~seventy-eight years of senior~~
80 10 ~~judge retirement~~ age, the annuity paid to the person shall be
80 11 an amount equal to the applicable percentage multiplier of the
80 12 basic senior judge salary cap, multiplied by the judge's years
80 13 of service prior to retirement as a judge of one or more of
80 14 the courts included under this article, for which
80 15 contributions were made to the system, except that the annuity
80 16 shall not exceed an amount equal to the applicable specified
80 17 percentage of the basic senior judge salary cap. A senior
80 18 judge or retired senior judge shall not receive benefits
80 19 calculated using a basic senior judge salary established after
80 20 the twelve-month period in which the senior judge or retired
80 21 senior judge attains ~~seventy-eight years of senior judge~~
80 22 ~~retirement~~ age. The state shall provide, regardless of age,
80 23 to an active senior judge or a senior judge with six years of
80 24 service as a senior judge and to the judge's spouse, and pay
80 25 for medical insurance until the judge attains ~~the senior judge~~
80 26 ~~retirement age of seventy-eight years.~~

80 27 Sec. 152. Section 602.9204, subsection 2, paragraphs d and
80 28 e, Code 2007, are amended to read as follows:

80 29 d. "Basic senior judge salary cap" means the basic senior
80 30 judge salary, at the end of the twelve-month period during
80 31 which the senior judge or retired senior judge attained
80 32 ~~seventy-eight years of senior judge retirement~~ age, of the
80 33 office in which the person last served as a judge before
80 34 retirement as a judge or senior judge.

80 35 e. "Escalator" means the difference between the current
81 1 basic salary, as of the time each payment is made up to and
81 2 including the twelve-month period during which the senior
81 3 judge or retired senior judge attains ~~seventy-eight years of~~
81 4 ~~senior judge retirement~~ age, of the office in which the senior
81 5 judge last served as a judge before retirement as a judge or
81 6 senior judge, and the basic annual salary which the judge is
81 7 receiving at the time the judge becomes separated from
81 8 full-time service as a judge of one or more of the courts
81 9 included in this article, as would be used in computing an
81 10 annuity pursuant to section 602.9107 without service as a
81 11 senior judge.

81 12 Sec. 153. Section 602.9207, subsection 1, Code 2007, is
81 13 amended to read as follows:

81 14 1. A senior judge shall cease to be a senior judge upon
81 15 completion of the twelve-month period during which the judge
81 16 attains ~~seventy-eight years of senior judge retirement~~ age.
81 17 The clerk of the supreme court shall make a notation of the
81 18 retirement of a senior judge in the roster of senior judges,
81 19 at which time the senior judge shall become a retired senior
81 20 judge.

81 21 Sec. 154. Section 602.9208, subsection 1, Code 2007, is
81 22 amended to read as follows:

81 23 1. A senior judge, at any time prior to the end of the
81 24 twelve-month period during which the judge attains
81 25 ~~seventy-eight years of senior judge retirement~~ age, may submit
81 26 to the clerk of the supreme court a written request that the
81 27 judge's name be stricken from the roster of senior judges.

81 28 Upon the receipt of the request the clerk shall strike the
81 29 name of the person from the roster of senior judges, at which
81 30 time the person shall cease to be a senior judge. A person
81 31 who relinquishes a senior judgeship as provided in this
81 32 subsection may be assigned to temporary judicial duties as
81 33 provided in section 602.1612.

81 34 DIVISION X

81 35 CORE CURRICULUM FOR SCHOOLS

82 1 Sec. 155. Section 256.7, subsection 26, Code Supplement
82 2 2007, as amended by 2008 Iowa Acts, Senate File 2216, section
82 3 1, is amended to read as follows:

82 4 26. a. Adopt rules that establish a core curriculum and
82 5 requiring, beginning with the students in the 2010=2011 school
82 6 year graduating class, high school graduation requirements for
82 7 all students in school districts and accredited nonpublic
82 8 schools that include at a minimum satisfactory completion of
82 9 four years of English and language arts, three years of
82 10 mathematics, three years of science, and three years of social
82 11 studies. The core curriculum adopted shall address the core
82 12 content standards in subsection 28 and the skills and
82 13 knowledge students need to be successful in the twenty=first
82 14 century. The core curriculum shall include social studies and
82 15 twenty=first century learning skills which include but are not
82 16 limited to civic literacy, health literacy, technology
82 17 literacy, financial literacy, and employability skills; and
82 18 shall address the curricular needs of students in kindergarten
82 19 through grade twelve in those areas. ~~For purposes of this~~
~~82 20 subsection, "financial literacy" shall include but not be~~
~~82 21 limited to financial responsibility and planning skills; money~~
~~82 22 management skills, including setting financial goals, creating~~
~~82 23 spending plans, and using financial instruments; applying~~
~~82 24 decision-making skills to analyze debt incurrence and debt~~
~~82 25 management; understanding risk management, including the~~
~~82 26 features and functions of insurance; and understanding saving~~
~~82 27 and investing as applied to long-term financial security and~~
~~82 28 asset building. The department shall further define the~~
~~82 29 twenty=first century learning skills components by rule.~~

82 30 b. Continue the inclusive process begun during the initial
82 31 development of a core curriculum for grades nine through
82 32 twelve including stakeholder involvement, including but not
82 33 limited to representatives from the private sector and the
82 34 business community, and alignment of the core curriculum to
82 35 other recognized sets of national and international standards.
83 1 The state board shall also recommend quality assessments to
83 2 school districts and accredited nonpublic schools to measure
83 3 the core curriculum.

83 4 ~~The state board shall not require school districts or~~
~~83 5 accredited nonpublic schools to adopt a specific textbook or~~
~~83 6 textbook series to meet the core curriculum requirements of~~
83 7 Neither the state board nor the department shall require
83 8 school districts or accredited nonpublic schools to adopt a
83 9 specific textbook, textbook series, or specific instructional
83 10 methodology, or acquire specific textbooks, curriculum
83 11 materials, or educational products from a specific vendor in
83 12 order to meet the core curriculum requirements of this
83 13 subsection or the core content standards adopted pursuant to
83 14 subsection 28.

83 15 Sec. 156. Section 256.9, subsection 57, as enacted by 2008
83 16 Iowa Acts, Senate File 2216, section 2, is amended to read as
83 17 follows:

83 18 57. a. Develop and distribute, in collaboration with the
83 19 area education agencies, core curriculum technical assistance
83 20 and implementation strategies that school districts and
83 21 accredited nonpublic schools ~~may~~ shall utilize, including but
83 22 not limited to the development and delivery of formative and
83 23 end-of-course model assessments classroom teachers ~~can~~ may use
83 24 to measure student progress on the core curriculum adopted
83 25 pursuant to section 256.7, subsection 26. The department
83 26 shall ~~continue to collaborate with Iowa testing programs on~~
~~83 27 the development of, in collaboration with the advisory group~~
83 28 convened in accordance with paragraph "b" and educational
83 29 assessment providers, identify and make available to school
83 30 districts end-of-course and additional model end-of-course and
83 31 additional assessments to align with the expectations included
83 32 in the Iowa core curriculum. The model assessments shall be
83 33 suitable to meet the multiple assessment measures requirement
83 34 specified in section 256.7, subsection 21, paragraph "c".

83 35 b. Convene an advisory group comprised of education
84 1 stakeholders including but not limited to school district and
84 2 accredited nonpublic school teachers, school administrators,
84 3 higher education faculty who teach in the subjects for which

84 4 the curriculum is being adopted, private sector employers,
84 5 members of the boards of directors of school districts, and
84 6 individuals representing the educational assessment providers.
84 7 The task force shall review the national assessment of
84 8 educational progress standards and assessments used by other
84 9 states, and shall consider standards identified as best
84 10 practices in the field of study by the national councils of
84 11 teachers of English and mathematics, the national council for
84 12 the social studies, the national science teachers association,
84 13 and other recognized experts.

84 14 Sec. 157. Section 257.11, Code Supplement 2007, is amended
84 15 by adding the following new subsection:

84 16 NEW SUBSECTION. 8A. A school district shall ensure that
84 17 any course made available to a student through any sharing
84 18 agreement between the school district and a community college
84 19 or any other entity providing course programming pursuant to
84 20 this section to students enrolled in the school district meets
84 21 the expectations contained in the core curriculum adopted
84 22 pursuant to section 256.7, subsection 26. The school district
84 23 shall ensure that any course that has the capacity to generate
84 24 college credit shall be equivalent to college-level work.

84 25 Sec. 158. Section 280.2, Code 2007, is amended to read as
84 26 follows:

84 27 280.2 DEFINITIONS.

84 28 The term "public school" means any school directly
84 29 supported in whole or in part by taxation. The term
84 30 "nonpublic school" means any other school which is accredited
84 31 ~~or which uses licensed practitioners as instructors pursuant~~
84 32 ~~to section 256.11.~~

84 33 Sec. 159. 2008 Iowa Acts, Senate File 2216, section 6, is
84 34 amended to read as follows:

84 35 SEC. 6. DEPARTMENT OF EDUCATION == CORE CURRICULUM STUDY.
85 1 The department of education shall conduct a study of the
85 2 measures necessary for the successful adoption by the state's
85 3 school districts and accredited nonpublic schools of core
85 4 curriculums and core content standards established by rule
85 5 pursuant to section 256.7, subsections 26 and 28. The study
85 6 ~~shall include an examination of the possible future expansion~~
85 7 ~~of the core curriculum to include content areas not currently~~
85 8 ~~included under section 256.7, subsection 26, including but not~~
85 9 ~~limited to fine arts, applied arts, humanities, and world~~
85 10 ~~languages.~~ The department shall submit its findings and
85 11 recommendations, including recommendations for statutory and
85 12 administrative rule changes necessary, to the general assembly
85 13 by November 14, 2008.

85 14 DIVISION XI
85 15 WAGE=BENEFITS TAX CREDIT PROGRAM

85 16 Sec. 160. Section 15.335A, subsection 2, paragraphs b and
85 17 c, Code 2007, are amended by striking the paragraphs and
85 18 inserting in lieu thereof the following:

85 19 b. "Average county wage" means the annualized, average
85 20 hourly wage based on wage information compiled by the
85 21 department of workforce development.

85 22 c. "Benefits" means all of the following:

85 23 (1) Medical and dental insurance plans. If an employer
85 24 offers medical insurance under both single and family coverage
85 25 plans, the employer shall be given credit for providing
85 26 medical insurance under family coverage plans to all new
85 27 employees.

85 28 (2) Pension and profit sharing plans.

85 29 (3) Child care services.

85 30 (4) Life insurance coverage.

85 31 (5) Other benefits identified by rule of the department of
85 32 revenue.

85 33 Sec. 161. Section 15.336, Code 2007, is amended to read as
85 34 follows:

85 35 15.336 OTHER INCENTIVES.

86 1 An eligible business may receive other applicable federal,
86 2 state, and local incentives and credits in addition to those
86 3 provided in this part. ~~However, a business which participates~~
86 4 ~~in the program under this part shall not receive any~~
86 5 ~~wage-benefits tax credits under chapter 15I.~~

86 6 Sec. 162. Section 15G.112, subsection 1, Code 2007, is
86 7 amended to read as follows:

86 8 1. In order to receive financial assistance from the
86 9 department from moneys appropriated from the grow Iowa values
86 10 fund, the average annual wage, including benefits, of new jobs
86 11 created must be equal to or greater than one hundred thirty
86 12 percent of the average county wage. For purposes of this
86 13 section, "average county wage" and "benefits" mean the same as
86 14 defined in section ~~15I.1~~ 15.335A.

86 15 Sec. 163. Section 422.33, subsection 18, Code Supplement
86 16 2007, is amended by striking the subsection.
86 17 Sec. 164. Section 422.60, subsection 10, Code Supplement
86 18 2007, is amended by striking the subsection.
86 19 Sec. 165. Section 533.329, subsection 2, paragraph m, Code
86 20 Supplement 2007, is amended by striking the paragraph.
86 21 Sec. 166. Sections 15I.2, 15I.3, and 422.11L, Code
86 22 Supplement 2007, are repealed.
86 23 Sec. 167. Sections 15I.1, 15I.4, 15I.5, and 432.12G, Code
86 24 2007, are repealed.
86 25 Sec. 168. CONTINUATION OF TAX CREDITS. The repeal of
86 26 chapter 15I in this division of this Act does not affect the
86 27 availability of tax credits for qualified new jobs in
86 28 existence on June 30, 2008. Qualified new jobs in existence
86 29 on June 30, 2008, shall continue to be eligible to receive the
86 30 tax credits for the remainder of the five-year period.
86 31 However, a business is not entitled to a tax credit for a
86 32 qualified new job created on or after July 1, 2008.

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PATRICK J. MURPHY
Speaker of the House

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JOHN P. KIBBIE
President of the Senate

87 9 I hereby certify that this bill originated in the House and
87 10 is known as House File 2700, Eighty-second General Assembly.

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MARK BRANDSGARD
Chief Clerk of the House

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Approved _____, 2008

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CHESTER J. CULVER
Governor